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CONDITIONS WHICH DISCOURAGE SCIENTIFIC WORK IN AMERICA.

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THE picture of America's inferior place in the scientific world drawn by Mr. Carl Snyder in the January number of this REVIEW hardly does justice to the present state of research in our own country. It is quite near the truth as it was twenty or even ten years ago, but is not quite correct for to-day, when we see investigators of the first class in all the sciences coming forward in every direction. He states that we stand in the front in astronomy, and he might have added that our recent advance in all the physical sciences has been remarkable. I cannot speak confidently on the biological side, but would be disappointed if a competent judge should say that the pathological and other work now being done at the Harvard and Johns Hopkins medical schools was hopelessly behind in the race when pitted against that of the Pasteur Institute.

Notwithstanding all this, Mr. Snyder's picture is correct for the past, and, if not strictly so for the present, is still a wholesome lesson to one who desires to see our country pre-eminent in science and learning. It must be admitted that the great generalizations of science during our time are of European origin and that the initiative in their development has not been taken by us. The

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highest and best forms of research require the right atmosphere for their growth; and of this atmosphere intelligent public opinion is the most stimulating and, therefore, the most essential constituent. I desire to supplement the picture by another, showing how great the want we suffer in this respect.

Two supposed reasons for our backward condition are familiar. We are supposed to be not yet far enough beyond the backwoods stage of civilization to appreciate the higher form of intellectual progress or support works which are intended only to advance pure science. And it is not uncommon to hear men maintain—in whispers, perhaps—that indifference to the higher forms of thought is associated with democracy. I shall only remark on these suggestions that neither of them can be shown to be sound by a careful examination into the facts. We passed beyond the backwoods stage of learning half a century ago, and the development of our universities and educational institutions during the past twenty-five years shows that we are now entirely clear of it. Nor does there appear to be good evidence that a republican form of government is associated with indifference to science. No doubt, revolutionary France, up to the time of the Terror, showed a spirit antagonistic to all learning, as it did to every other creation of the past. But a wholly different view was taken as soon as sensible men got control of affairs. Republican France of to-day is no less appreciative of science than was the France of the First and Second Empires. So far as our country is concerned, the matter has been so well summed up by Mr. Bryce that I cannot do better than quote his conclusion: "To ascribe the deficiencies, such as they are, of art and culture in America, solely or even mainly to her form of government, is not less absurd than to ascribe, as many Americans of what I may call the trumpeting school do, her marvellous material progress to the same cause."

Of the high appreciation of scientific research and of learning generally entertained by our people we have the best proof in the munificence with which private individuals have endowed our institutions for learning and research. These men have desired to employ their wealth in a way which would promote the public weal and bring honor to their names. They were of sound judgment, fully able to feel the public pulse; and they saw that their fellow-citizens would look upon this as the most admirable way of disposing of their surplus wealth.

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And yet our public, with all its appreciation of learning in the abstract, has only the vaguest and most imperfect idea of the true spirit of science and of the peculiar conditions under which the most advanced research is possible. We look upon the latter as if it were the practice of a profession, forgetting that, when it reaches that point, it ceases to be science. New methods, new laws, new results—these are the aims of science. We naturally forget that these are the creations of individual minds. When an institution for learning or research is munificently endowed by an individual, good sense and experience of the world naturally prompt him to establish something more lasting than the life of an individual—something of the nature of an organization which will continue to perform its functions, whatever changes may take place among the persons who direct or manage it. To him, scientific investigators are simply bodies of men of whose individual members he need know nothing.

Much the same is the impression which I have found by long experience to be that of the men who manage our public affairs. They look upon science as a profession, or collection of professions, which men learn at college or university much as they learn law or medicine. It is said—and, truly, I think—that no government is more liberal than our own in enterprises for the promotion of science. I do not know that our Agricultural Department has an equal in the world. The spirit of this policy may be expressed in some such form as this: "We see how much science has done for the world; how it has recast the whole industry of mankind and produced benefits to society of which our ancestors had no conception. Let us, then, promote scientific research and its application to practical ends on the largest scale. Men learn to be scientific investigators at college; our colleges and universities turn out thousands of graduates every year. Let us select the best of these we can find, pay them as good salaries as such men commonly expect to earn, and set them to work, each in his chosen field, under the best administrative direction we can get." Having done this, the function of the government is at an end. Of the individual men who are conducting the investigation the public need know no more than of the individual soldiers in an army.

There is no inherent error in all this; it is merely an incomplete view of the case, like the idea of an arch entertained by one

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who saw its entire figure, but knew nothing of the keystone. The leader in science, the divinely inspired explorer of nature—whom no university has made what he is, who has learned for himself how knowledge can be advanced, whose main outfit is the original genius with which nature has endowed him, whose paramount motive is a native impulse—has no place in the scheme. Yet, the whole history of modern progress, whether in science or industry, is a history of the efforts of exceptional men. How abnormal a man the native born scientific investigator is may be seen by the reflection that civilization was thousands of years old before men knew anything about the laws of motion which they saw in operation all around them every day of their lives, the power of steam or the source of electricity; that the wind had blown and the rivers had flowed all these thousands of years, without one member of the whole human race seeing how the water could be harnessed or the winds employed in the grinding of wheat. It is impressive to think how few men we should have to remove from the earth during the past three centuries to have stopped the advance of our civilization. In the seventeenth century there would only have been Galileo, Newton and a few other contemporaries; in the eighteenth, they could almost have been counted on the fingers; and they have not crowded the nineteenth. Even to-day, almost every great institution for scientific research owes its being to some one man, who, as its founder or regenerator, breathed into it the breath of life. If we think of the human personality as comprehending not merely mind and body, but all that the brain has set in motion, then may the Greenwich observatory of to-day be called Airy; that of Pulkowa, Struve; the German Reichsanstalt, Helmholtz; the Smithsonian Institution, Henry; the Harvard Museum of Comparative Zöology, Agassiz; the Harvard observatory, Pickering.

It is in our failure to estimate the individual scientific investigator that we stand so far behind other enlightened nations. I ask the reader's attention to some examples of this, beginning with men in the two hemispheres, who, in the matter of natural endowment, might be placed on an equality.

Henry and Faraday may be fairly taken as two such men. The former, born in obscurity and with no early education except such as an academy could offer, had a natural genius for interrogating nature which, under more favorable surroundings, might have

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given him the first place among the experimental philosophers of the age. What Faraday did we all know. But see the difference in the surroundings of the two men, and the incentives placed before them. The one was the honored of a great centre of the world's learning, commanding every facility that the wealth of scientific London could afford, stimulated by the appreciation of a great and influential society, and receiving so liberal a support that he had no need to think of the future. The other was a plain professor, commanding no apparatus but the meagre outfit of our traditional college, having none but students to whom he could personally communicate his discoveries; placed in a community which, though enlightened enough to regard what he was doing with interest, had no conception of the value attaching to his works. What wonder if he fell behind in the race!

Our own generation may supply another example. I speak subject to correction on a matter outside of my immediate knowledge in naming Max Müller and Whitney as the two most illustrious scholars in their branch of whom the English-speaking world could boast, and as being co-equal in learning and native power. But how different the positions of the two men! The one, notwithstanding his foreign birth, was honored of all England, and supported by almost princely liberality on a scale corresponding to his attainments, while the other was eking out the salary of a Yale professor by publishing text-books and editing a dictionary.

Let us suppose one side of another case. The greatest comparative anatomist in our country, combining the scientific eminence of a Jeffries Wyman and a Joseph Leidy, becomes an instructor of the public in the art of right thinking. He attacks cherished beliefs; he is contentious in the last degree, never letting go a subject as long as his opponents can have anything to say; criticises the course of his best friends whenever he thinks it wrong; is ready to make his voice heard on any question of which the public seems to him to be taking the wrong side, and that in a style of which the classic polish only adds to the pungency. What would we have done more than tolerate him? Would popular magazines twenty years ago have dared to publish his articles? Could he have reached, by virtue of his power of statement and scientific standing, a much higher level in the public estimation than other teachers of the same kind? Yet in England

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Huxley was, perhaps, the greatest power that our generation has seen in moulding the current of national thought on the problems of life, and he was publicly rewarded by elevation to the rank of Privy Councillor to the Queen, a position which left few grades above him in the official hierarchy.

Within the past few years it has been the writer's fortune to assist at three celebrations in Great Britain, to each of which the learned of the world were invited. Two of the three were in honor of individuals. In 1896 the University of Glasgow celebrated the jubilee of Kelvin by a function which brought together an impressive representation of the science, not only of the whole British Empire, but of Europe and America. Three years later, the University of Cambridge celebrated the jubilee of Stokes in the same way. Immediately after the latter the Royal Institution of London celebrated its centenary. The point to which I call especial attention is that these celebrations were not merely meetings of learned men, but functions to which the leading classes of England, from royalty downward, gave dignity, either by their presence or by letter. The seventieth birthday of Helmholtz was celebrated by the great men of Germany, from the Emperor down, in a series of addresses and congratulations. The recent tribute of all France to Berthelot I need only allude to.

Is it significant of our inferior place in science that the idea of such celebrations in honor of science or a scientific man is so foreign to our notions that it is hardly likely to present itself for generations to come?

In thus pointing out the superior rewards and the superior position which the highest eminence in science and learning commands in other countries, it is not implied that these form the direct incentives to research. The idea that salary paid is the measure of service rendered leads to our pernicious habit of looking upon the investigator in the public service as a laborer for hire. The man whose aim in life is either gain or popular applause must seek other groves than those of Academus, for in them he will surely find none but chilly breezes. All modern experience shows that Nature does not make known her secrets to those who court her for lucre. The work of him who enters the field of science with any other immediate motive than the advance of knowledge will lack that thoroughness and comprehensiveness which is necessary to success. Disinterestedness is the

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first condition of the highest forms of research. In describing, as I have, the superior rewards offered in other lands to the highest success in research, I do not mean to imply that the man of science can have any such reward in view in mapping out his work. We may rest assured that if it should be suggested to an American investigator that he become the recipient of such an ovation as that bestowed on Kelvin or Stokes, he would be the more likely to nip it in the bud, if he could, the more worthy he might be of receiving it.

But let us not mistake what this means. It does not mean that the scientific investigator can work as well in poverty as in affluence, and must be indifferent to the question whether his children shall be well clothed or in rags, whether he himself shall be supplied with the comforts of life, or be unable to return the hospitalities of his friends. It does not mean that he is indifferent to his own standing in the world, and cares not whether men think ill or well of what he does. On the contrary, that he is doing something of which mankind will appreciate the benefit, and on which at least the best part of the world shall bestow its approbation, is the great incentive to his labors. He appreciates the difference between mere popular applause and enduring reputation; between seeing his name in a morning journal and believing that it will be associated by future generations with some great movement in the world of thought; between the good opinion of his fellowmen and the outward expressions by which that opinion is manifested. The thought of the English, German or French scientist who sees his country bestow its highest honors on some great investigator is not, "See what may be done for me if I am successful," but it is, "See what a high value my countrymen set upon the best kind of intellectual work."

Perhaps as telling an example as we can cite of the relative standing of pure science in this and in other countries will be afforded by a study of those national scientific organizations—academies, they are commonly called—which have been such important factors in the advance of civilization. Among the first of these to come into existence were the Royal Society of London and the Academy of Sciences of Paris. The former, originating in what, some two and a half centuries ago, was little more than a scientific club, gradually drew around it the leading men of science and letters in England, until it became a national scientific

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society whose reputation is one of the glories of Great Britain. The visitor to London who wants to know what the England of to-day thinks of its work has only to visit the Burlington House, erected by the government as a home of science and art, and see the quarters in which its collections are kept, its business transacted and its meetings held. If he wants to appreciate its actual value as a factor in British greatness, he has only to notice the close association between its leading members and the men who administrate the British government, and see how readily the latter can avail themselves of the knowledge possessed by the Royal Society on every subject which falls within its range.

In Paris, the visitor will find the five academies which form the Institute of France, perhaps the most eminent organization in the world of learning, housed in the Palace of the Institute, where the government has been providing for its wants for two centuries. The closeness of the relations between the Academy of Sciences and the government is shown in the constant calls by the latter for the services of the Academy. When a question arises in which expert advice can be useful, the Academy is asked for its opinion. If an important scientific appointment is to be made, the Academy is requested to present a list of the three best names from which one is to be selected.

In almost every other capital the same thing is true, in a greater or less degree. In Russia, the Academy of Sciences has nearly or quite the position of a branch of the government. Its ranks include one or more grand dukes, and the dignity of membership is high in the official scale.

In Germany, the body is more purely a learned one. Still, it is under the immediate patronage of the Emperor, and its wants are supplied in the same way as in other European countries.

We also have a National Academy of Sciences, chartered in the midst of the Civil War as an adviser of the government on all matters connected with science, literature or art. In a former number of this REVIEW (May, 1900), the present writer described the origin of the Academy, and the public services which it has rendered. Of these, two merit consideration.

During the years preceding 1877 several independent and competing organizations were surveying and mapping the territories and duplicating each other's work at the public expense, even issuing independent maps of the same territory. Congress

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called on the Academy to devise a single comprehensive plan for these competing surveys. The result was the present Geological Survey, which has extended its operations over the whole country, and has given such satisfaction to the public and proved its value in so striking a way as to become one of the two greatest scientific bureaus at Washington.

The other case occurred only a few years ago. The Interior Department had time and again grappled in vain with the problem of administering the forests on our public domain, and preserving them for ourselves and our posterity from depredations by men and combinations of such influence that every effort to restrain them had failed. The National Academy of Sciences was called upon, because within its members was included that knowledge of the growth of forests and of the systems of administration in foreign countries which would enable a successful remedy to be devised. The outcome of the work was our present forestry system, the value of which, as administered by the Interior and Agricultural Departments, I shall not reflect on the intelligence of the reader by attempting to estimate.

Looking at what foreign governments have done for their academies, the question naturally arises: What has our government done for our own? The answer is: Absolutely nothing. Its condition as an academy of sciences is humiliating. It has no local habitation. It must pay its expenses, clerical and otherwise, of every kind, by the contributions of its members. In the eyes of foreign academies it is the official representative of our growing American science, and as such holds a high rank among such bodies. When it comes to doing anything in a representative capacity to uphold that rank, the expense must come out of the pockets of its members.

Nor is there a prospect of anything better in the future. Instead of increasing in influence, it seems almost to have passed out of recollection as a factor in our progress. Its last and greatest work for the government, that of devising a forestry system, marked its disappearance from the public view. It would be interesting to know how many men in Congress know what it is, or are even aware of its existence. Whether a census would show one in ten or one in fifty, no one can say. One hardly knows where to look for a spectacle less befitting our civilization than that of such a body of men searching through Washington to find

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a suitable place for their meeting; debating where they shall put the publications presented them by similar bodies abroad; grateful to one of their officers when he has a spare corner in which to keep their records; wondering what shall be done with an invitation from a foreign organization to send a delegate to a celebration or an international conference.

If the picture needs any additional touch, it is given by the fact that the Academy is required by its charter to give its services to the government gratuitously. Those of its members who spent their time in devising the two administrative systems which I have described could never receive a dollar for what they did; and to-day the Academy may be said to exist and live in the hope that, at some time in the near or distant future, the government may feel some need for its gratuitous services as an authority on the multifarious scientific problems with which public administration is confronted.

The founders of the Academy believed that the spectacle of a body of the ablest scientific investigators giving their services without reward to promote the public weal would act as an inspiring example, impress the public with a high sense of the dignity of science, and elevate learning in the eyes of our political leaders.

A cynic might reply that this only shows how slight was the knowledge of the world possessed by these men. Congress has no way of measuring the value of services lying outside the usual range of its experience except by their cost. When one works for nothing the value set upon his services will naturally be expressed by the mathematical zero. The idea that Congress would ever supply a place of meeting or a clerk to such men would never have been entertained by men of practical sagacity.

Between these views, I leave it to the reader to determine where the truth lies. I do not think any close observer of the operations of government during the past thirty years will contest the following proposition. If Congress, when it chartered the National Academy of Sciences, had supplied it with a fine building for its meetings, records and collections, had paid the expenses of every member who attended its meetings, had supplied it with the necessary assistance to enable it to conduct business continuously, and had provided that no appropriation should be made for any scientific object until it had been referred to and recommended

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by the Academy, the outlay would have proved, from a purely sordid point of view, a good paying investment.

This state of things looks all the more anomalous when we consider the unsurpassed interest which, as I have already shown, our people and its government take in the progress of science. If our views were no broader than those of the European peasantry and our national resources meagre in a corresponding degree, it would not be at all surprising that an Academy of Sciences should receive scant attention at the hands of government, and that men should be unable to see of what use it could be to the public. But how can such a state of things exist in a community and under a government like ours? The answer is clear. It is the natural outcome of that gap between the world of politics and the world of learning which is so marked a feature of society as it exists to-day, both in the country at large and at the National Capital. How the government and the learning of the great European nations are brought into contact I have already set forth, in describing the relations of national scientific organizations to their respective governments. But this does not constitute the sole point of contact between politics and learning abroad. To the American visitor to England, seizing the opportunity to make careful observations, no feature of public life will be more striking than the extent to which national leadership of every kind is united in a homogeneous mass. The leaders of thought and the leaders of action, the men of letters and the men of affairs, know each other personally, meet together, club together and dine together to an extent quite beyond anything that we know. At the annual banquet of the Royal Society one may see the government represented by one or more of its leading members. At the principal clubs he will find Members of Parliament, both lords and commoners, as well as men of science, art and letters. If he is present at an informal sociable at the house of a political leader, he may find the best known men of letters among them. Sitting in both Houses of Parliament will be found representatives of literature and science, the leading men of the universities, as well as the more prominent actors in all other walks of life. He will find men like Kelvin with a seat in the House of Lords, and hereditary lords interested in scientific investigation.

Very different is the case with us. I speak subject to correction; but my impression is that the foreign visitor to Washington,

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mingling with our public men, would not be likely to meet a single person whose name he would recall as prominent in the world of learning. If he attended the gatherings of the large body of scientific men now in the employ of the government, I speak with entire confidence in saying that he would not meet a single man prominent in public life, unless special arrangements were made for him to do so. During the last thirty years I know of only two well-known writers of books who have sat in either house of Congress. One was Mr. Cox, first of Ohio and then of New York; the other is the present junior Senator from Massachusetts. If the opinion that men of learning are, by that very fact, more or less incapacitated from being factors in public affairs is still entertained by any intelligent person, the examples of these men should set it at rest. Mr. Bryce has considered this subject somewhat briefly in the chapter in which he discusses the question why the best men among us do not enter into politics; but the special point here brought out seems to have escaped him.

This want of touch between our academic and political classes is at the same time the cause and the effect of the imperfections in the apprehension of things scientific by our public men. It is clearly abnormal. If a statesman cannot be expected to have a close acquaintance with the principles of science, he should at least be able to appreciate the special relation of each branch of research to the public welfare, and should know where or to whom to go for light on the relation of a scientific subject to the government.

It might naturally be supposed that this deplorable gap between the two classes whose co-operation is essential to the progress of civilization grows out of our backward condition as a learned nation, and will rapidly close up with the advance of intelligence. But the feature of the case which will, at first sight, seem most singular is that, instead of showing this tendency, the trend of events is in the opposite direction. That the gap is not a mark of our former backward condition in science and letters is shown by the fact that it did not exist in the early days of the republic. What little science the country had in his day was in close touch with Washington. Jefferson took pride in being personally acquainted with such of his countrymen as had any claims to a position in the world of learning. He was actively interested in scientific progress, not merely in a technical and machinelike

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way, but in promoting science through stimulating the work of individual investigators. Sometime in the forties a National Institute for the promotion of science was organized in Washington. It may surprise the reader of the present day to hear that, even at as late a date as that, men eminent in public life were leading members of this organization. Its first president was a Secretary of the Navy; its second a Senator. In the early days of our National Academy of Sciences it was much more a feature of Washington life than it is now. The fact of its annual meetings in Washington was known to men holding positions as high as that of head of a department, the daily journals reported and discussed its proceedings to a greater or less extent, and on one occasion a President of the United States appeared at a meeting.

We are not to regard this seeming case of decadence as proof of any retrograde movement in the intellectual standard of our politics. It is one of the natural features of social development—a result of that multiplication and differentiation of social functions which are characteristic of advancing civilization; and the only reason why it is not universal is that those agencies which prevent the same effect in other countries do not exist among us. Our statesmen find the problems of government which press on their attention continually increasing both in number and complexity, thus giving them less and less time for informing themselves on any subject lying outside the range of their immediate interests. The reason why the same effect is not produced in foreign countries will be seen from what I have already said. The association between science and politics has there been so closely kept up, both by custom and by the influence of men of learning in public affairs, as to counteract the tendency in question. Among us this binding influence has not existed and differentiation has gone on without impediment.

I see but one cure for these conditions, but one way of introducing the academic element into the political atmosphere of our capital. It is to make Washington a centre of learning in which all that is greatest in the human intellect shall be represented by leaders of world-wide reputation and strong personality, who can speak and act independently of government control, and thus be free from the restraint which shackles the utterances of a public officer. The most effective way to bring this about would seem to lie through the establishment of a great university or other

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scientific institution having as little connection with government as possible, yet not so foreign to it as to be of no interest to our authorities. Great things may be hoped of the Carnegie Institution as a coming agency of reform. One is bewildered in trying to forecast the results of an enterprise starting on so magnificent a scale and under conditions so promising as this does. What can be said is that there is every prospect of its proving such an agency in the promotion of knowledge as the world has rarely seen. Let us hope that the historian of the future shall also be able to add that it was the agency that brought the politics and the learning of our country into sympathy and harmonious co-operation.

SIMON NEWCOMB.

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HOW CIVIL GOVERNMENT WAS ESTABLISHED IN PORTO RICO.

BY CHARLES H. ALLEN, FIRST CIVIL GOVERNOR OF PORTO RICO.

If civil government in Porto Rico has not cost the people of the United States one dollar, because it has been self supporting from the beginning, it must not therefore be carelessly thought that such a condition came about naturally, and without anxiety and constant watchfulness. The story of some of the earlier anxieties, and of the problems which were met and successfully solved without precedent to guide those who were charged with the task of inaugurating the new order, may prove interesting as forming a new chapter in the history of our national development.

On the completion of the transfer of the island to American control, the Department of Porto Rico was created, and Major General John R. Brooke was placed in command as military governor. He was succeeded in that capacity, on the 6th of December, 1898, by Major General Guy V. Henry, and he in turn, on the 9th of May, 1899, by Brigadier General George W. Davis, who held the position until, under the act of Congress, the civil government was put in force on the 1st of May, 1900.

The exciting debate in the House of Representatives over the Civil Government Act for Porto Rico will be remembered. It was vigorous, interesting, and as much of the bill as related to the tariff provision as applied to the new government of the island was earnestly contested. Indeed, so close was the division that up to the taking of the final roll call the outcome of the whole measure was in doubt.

The organic act received the approval of President McKinley on the 12th of April, 1900, only eighteen days prior to the date fixed in it for the inauguration of the civil government for which it provided.

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The governor's commission was signed by the President on the 18th of April. Very brief indeed was the time allowed him to prepare for the duties about to devolve upon him, as he left Washington for Porto Rico on the 21st of the same month. Reaching San Juan, the capital, on the forenoon of the 27th of April, he was visited on the ship by the military governor, General Davis; and without loss of time the two governors proceeded together to the Marina, where they stepped ashore at noon in a drenching rain. Notwithstanding the downpour, the neighboring buildings and streets were thronged with people, all seemingly bent on according the new official a hearty welcome. The insular police, together with the Porto Rican regiment under Colonel Buchanan, were drawn up in military array, and, after reviewing these bodies, the military and civil governors drove directly to the executive mansion.

Before leaving Washington, the civil governor had discussed with considerable earnestness and some anxiety the method of putting the organic act in operation, in accordance with its terms, without, however, reaching any definite conclusion in regard to a proper programme. The problem was a difficult one. The American military government of Porto Rico was modelled on the old Spanish organization—in fact, was only a modification of it—and military officers were holding nearly all the civil offices throughout the island. But, according to the statutes of the United States, no military officer could hold a civil position, even though he received no salary for it, without forfeiting his commission in the army. It had been reported from Porto Rico that there would be difficulty in securing at once suitable persons to fill the important offices as heads of the several departments. To meet this difficulty, a joint resolution had been introduced in Congress in the latter part of April, empowering military officers to continue to hold for a limited period under the civil government the positions they had occupied under the military government, so as to secure to the civil administration the aid of officers who had become experienced in their work, until such time as the proper authorities might be able to make a selection of competent civilians to fill the posts. The joint resolution passed the Senate without delay. It was still under discussion in the House of Representatives, however, when the civil governor left for the island, and when he landed at San Juan no information had been

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received from Washington as to its fate. This silence naturally increased the perplexities of the situation. The civil government had to be established, within two or three days, without the aid of the experienced incumbents then holding administrative positions, owing to their inability under the law to continue longer than the 30th of April; and the problem presented was to find competent civilians to discharge the official duties temporarily, and to devise some legal method of inducting them into office.

The key to the whole intricate situation was found in that part of the organic act which provided: "That the laws and ordinances now in force shall continue in full force and effect, except as altered, amended, or modified hereinafter, or as altered or modified by military orders and decrees in force when this act shall take effect." By an application of this provision the perplexing problem was solved. Under the act, it was clearly within the authority of the military governor at any time during the month of April so to "alter, amend, or modify" by military orders the scheme and personnel of the existing government as to make them conform, as far as possible, to the organization of the civil government as contemplated by the organic law. Since Congress had not at this time passed the joint resolution above mentioned, and none but civilians could fill the civil offices, the military governor, upon the recommendation of the civil governor, promulgated and published on the evening of April 30th, 1900, a military order changing the existing system of government so as to make it conform to the system adopted by Congress; and competent, careful, and discreet civilians were selected to serve as acting officers pending the making of permanent appointments to the several positions, as the law required. The gentlemen selected assembled at the executive mansion and took the oaths of office, as acting officers.

Thus there was on the night of the 30th of April, 1900, a *de facto* government of competent persons, in no way disqualified, ready to be recognized and employed by the civil governor, as soon as he should be inaugurated on the following morning. The want of any pertinent precedent was gravely felt in all these proceedings.

The peculiar situation of Porto Rico, acquired as it had been by a treaty which left the whole future disposition of the country and its people in the hands of the American Congress, had no

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parallel in the previous history of our country known to those intrusted with the organization of the new government. The act of Congress is very brief, and gives no direction as to the manner in which the military was to be superseded by the civil government. The natives of the island, speaking a foreign language, were unaccustomed to self-government and strangers to free institutions. All things considered, therefore, the governor regarded himself as fortunate in that the way had thus been cleared for the transition from military to civil authority.

The transactions of the first year are naturally divided into three periods, which may be called the transition, the formative, and the progressive periods. The transition period begins with the close of the military government and the inauguration of the civil government on the 1st of May, 1900, and ends with the formal organization of the executive council on the 28th of June following. The formative period begins with the organization of the executive council, and continues through their labors, in connection with the governor, passing the election of delegates provided for in the organic act—which occurred on the 6th day of November, 1900—and ends with the organization of the legislative assembly on the 3d of December. The progressive period begins with the organization of the legislative assembly, continues through its session, and includes the events which occurred after its adjournment.

Transition period.—At 9 o'clock on the morning of May 1st, 1900, after reviewing an impressive military and naval parade, in company with the commanding general, from the balcony of the City Hall, on the principal plaza of the capital, the governor returned to the executive mansion, escorted by the municipal council of San Juan, when the inaugural ceremonies immediately took place. On the temporary platform which had been erected at the end of Fortaleza street, just in front of and adjoining the executive mansion, and in the contiguous council chambers, about 300 prominent residents of the island were assembled, consisting of the judiciary, officials of the retiring military government and of the Army and Navy, the clergy, foreign consuls, representatives of the press, and other distinguished citizens. The streets and roofs about were thronged with an interesting multitude, who followed up the inaugural procession and filled all the vacant space as far as the voice could reach. The inaugural ceremonies

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were impressive and dignified, and were witnessed by the people with great interest.

The army officers having been relieved from all civil duties, never thereafter, with one or two exceptions, held any civil office in Porto Rico, although the joint resolution empowering them to do so, if necessary, passed Congress on the 30th of April, and received executive approval on the 1st of May, as was learned in Porto Rico at 5 o'clock on May 1st, after the civilian officers had been installed in their respective places. As events proved, it was perhaps fortunate that the change was made at once and civil officers placed in charge of all the branches of the government at the same time. It is true, none of the officers acting temporarily were appointed in the manner required by the organic act, but they constituted a *de facto* if not a *de jure* government, and were recognized as such, at least for the time being.

A proclamation was issued announcing the establishment of the civil government, with the acting officers who had been appointed on the previous day by the military commander. Thus were the wheels of government set in motion.

Two of the acting officers were appointed to the offices which they had accepted temporarily, Mr. Hollander as treasurer and Mr. Garrison as auditor.

On the 19th of May, the Hon. W. H. Hunt, from the supreme bench of Montana, was appointed by the President and confirmed by the Senate as secretary. He came to the island promptly, reaching San Juan on the 8th of June, and qualified immediately. He assumed the burdens of his office on the 9th. In recognition of his excellent qualifications, he was promoted to the position of governor, upon the resignation of the writer on the 25th of last September.

The formation of the executive council was, of course, one of the first matters to claim attention. There being two political parties in the island—divided purely on local issues, without regard to such principles as align parties in the United States—names from both parties were submitted to the President, and from these he selected and appointed the five members of the council who were required by the organic act to be natives of Porto Rico. Two of the Porto Ricans were Federals, two were Republicans, and one Independent.

As the end of the fiscal year, June 30th, was fast approaching,

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the budget for the incoming year had to be prepared without delay. This duty, of course, devolved on the governor. All available sources of information were explored, and finally a budget was arranged, sufficiently comprehensive to cover the running expenses on an economical scale, and it was duly promulgated. Acquaintance with the requirements of the civil government and its probable revenues being of necessity very limited, it was deemed expedient to reserve the right to alter, amend, or enlarge the budget as the exigencies of the government might demand.

The first meeting of the executive council was held in the council chamber at the executive mansion on Thursday, the 28th of June. A permanent organization of the council was at once effected, the Hon. W. H. Hunt, the insular secretary, being unanimously chosen president. The first business before the council was the consideration of the annual budget, which was submitted by the governor, and received unanimous approval.

On the following day, the supreme court of Porto Rico was duly organized, all the members, except Judge Sulzbacher, being present. Mr. Russell, the attorney-general, reached the island on the 12th of July, and at once entered upon the duties of his office. Judge Holt, of the United States district court, Judge Sulzbacher, of the insular supreme court, and Mr. Brumbaugh, commissioner of education, arrived on the 4th of August, and assumed charge of their respective offices on the Monday following. This completed the personnel of the insular government.

Formative period.—The formative period may be considered as beginning with the organization of the executive council, on the 28th of June, as that fact more specially marks the change in the current of events; although the delay in the arrival of some of the other officers and in the complete organization of some other departments causes the first period to overlap the second in some particulars. The active work of administration, embracing not only the routine of official duties, but the careful planning of ways and means to carry out the directions of the organic act, was entered upon promptly and pursued with alacrity. One of the first important duties of the administration, after the organization of the executive council, was to prepare for the general election which the law required to be held for the choice of delegates to the legislative assembly, and also of a resident commissioner to the United States. During those early days there was

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much political excitement throughout the island, and the American members of the administration were naturally anxious that public order should be maintained, and that the election should be arranged for and held, and the legislative assembly organized, with as little nervous agitation on the part of the people as possible.

The day for the election of the commissioner being fixed by law on the first Tuesday after the first Monday of November, synchronous with the general election in the United States, it was thought to be wise and economical to hold the general election on the same date; accordingly, it was so ordered. The organic law enacted that the island should be divided into seven districts, and that each district should be represented by five delegates, thus making the house of delegates to consist of 35 members. The legislative assembly was to be composed of two houses, the upper being the executive council and the lower being the house of delegates. The council, being already organized, was charged with the duty of providing for the election of the members of the other chamber, to complete the assembly. Obviously, the first step which the council had to take, after fixing the date of election, was to divide the island into seven districts, as the law required. This apparently simple matter proved a very serious and intricate one, and after careful consideration it was determined to refer the question to a special committee, composed of the five Porto Rican members. Party feeling among the people was very pronounced, and the popular excitement had permeated all classes and even penetrated to the council chamber itself. After due consideration in the committee, three plans were presented to the executive council, and two days were devoted to debate upon the various propositions involved in the reports. Finally the plan proposed by the Independent member of the committee was selected by a vote of 9 to 2.

The two Federal members of the council were greatly disappointed and at once threatened to resign, which they did on the next day, the 6th of September, forwarding their resignations by cable directly to the President, who promptly accepted them. The vacancies thus created were not filled for more than two months, and matters moved on in the council with much more harmony.

It was the unchanging purpose of those intrusted with the conduct of the election, and kindred matters of importance, to con-

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sider, as far as they properly could, both of the insular political parties. The leaders of each party were asked from time to time to furnish to the appointing power lists of names of their several partisans qualified to fill the various official positions. Selections were made from these lists, equal representation being given, as far as possible, to each party. As soon as the island had been divided into proper districts, the next step was to prepare an election order suited to the condition of affairs and the genius of these people, so simple in its terms as to be easily understood, and sufficiently complete in its requirements to repress and restrain fraud and dishonesty to the utmost. The task was by no means an easy one, but honest hearts and willing hands came to the aid of active minds in the council, with most excellent results.

The election laws of the various States were consulted, and portions of each were selected and modified so as to meet the conditions existing in Porto Rico. An election order was produced which has worked well, and which is thought to be equal in merit to any election law in the United States. It prescribed the qualifications of the voters, and provided for supervisors of elections and district and precinct officers. It subdivided the seven districts into 219 polling precincts, and prescribed the duties of all the officers charged with holding the election. Few, if any, defects were found in the working of the order on the important day of its trial at the polls.

But the duties of the executive council in regard to the election did not cease with the promulgation of the order. A complete registration of voters, in compliance with the very mild restrictions which had been placed upon the privilege of suffrage, was indispensable under the electoral system desired, and was provided for in an order of the council passed and promulgated on the 19th of September. It was appropriately adjusted to the terms of the election order, and, while permitting every qualified voter to cast his ballot and requiring it to be counted, was designed to prevent the reception of any illegal vote on election day or tampering with the returns thereafter. All of these purposes proved to have been accomplished by it when it was tested at the polls in actual practice. The preparation of these regulations was entrusted to Judge Hunt, and the result of his careful and intelligent effort reflects great credit upon him.

But the legislative duties of the council in preparing for the

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election, while the most important, were by no means the most difficult of their labors. The smaller details of the administration and execution of these orders had to be continually watched and supervised by the council or its election committee. The supervisor of election, the district boards, the precinct officers, and polling clerks had to be appointed. Cards of advice and explanation, registration blanks, and numberless circulars of information were issued to teach these officers their functions, and the situation seemed almost to resolve itself into an electoral kindergarten, so simple were some of the queries propounded. But the council cheerfully complied with all demands made upon its time and patience, the more readily because of the strangeness of these methods to the people, and the earnest desire universally evinced to acquire practical knowledge of them. The success of their labors was a fitting and sufficient reward for all engaged in this work. No frauds were practised, and no contests made when the registration and election had been completed and the final result declared.

About the middle of September the political rancor and excitement had reached their flood tide. Articles calculated to stir the basest passions had been published in various newspapers in different towns, and personal encounters between individual members of the two parties were common. This condition of affairs culminated in an incipient riot, which occurred in the streets of the capital on the night of the 14th of September. Many shots were fired, most of them into the air, but fortunately nobody was wounded. The whole affair seemed to have been gotten up for political effect. There were, on the part of the executive, many anxious days and wakeful nights during this period, but the popular excitement gradually subsided, people began to take a more reasonable view of the situation, the baser sort were held in check, the better class regained their influence, public order was restored and maintained, and the march of progress was resumed and went steadily forward.

Immediately before the election the air was filled with divers rumors as to direful things that were to occur in the various municipalities on election day. More or less dissatisfaction had been expressed by both political parties, each charging the other with fraudulent practices. As the registration grew in numbers, the disaffection of the Federal leaders had become more pro-

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nounced and had culminated in a formal announcement of the withdrawal of their party. This unexpected withdrawal, accompanied as it was by threats of intimidation on the part of irresponsible persons, had filled the more timid with alarm. In these circumstances, men, whose judgment was ordinarily to be relied upon, came in numbers to the executive mansion to insist that United States soldiers should be stationed at the various polling places throughout the island. But a careful study of the situation convinced the administration that nothing could be more unwise than to follow such advice. It was believed that if the first election could be conducted without soldiers at the polls, the object lesson which it would afford in civil government under a republic would be purchased cheaply enough, even at the cost of a few broken heads. No soldiers were called on, and none were used or needed at any polling place in the island on election day. The election was held under the control of the civil authorities alone, and more than 95 per cent. of the election officers were natives. Ample provision had been made, of course, for emergencies. The insular police were so posted that if a riot broke out at any polling place order could be at once restored. But no disorder whatever occurred, and the election passed off as quietly as it might have done in Connecticut or Massachusetts.

The election returns all came in promptly and were immediately tabulated and preserved in order, and there seemed to be no good reason why the island should not have the advantage of an early session of the legislative assembly. Accordingly, the members of the house of delegates were called upon to meet at the executive mansion on December 3d, for the purpose of organization. On the day appointed, the members marched in procession down the "Calle de la Fortaleza" to the executive mansion and paid their respects to the governor. They were a fine-looking body of men, fit to compare favorably with similar assemblies on the continent, and were all duly impressed with the dignity and importance of the high offices to which they had been elected and with the weight of the responsibility imposed upon them by the choice of their fellow-citizens. They passed through the reception room, retired to the hall which had been fitted up for the house of delegates, and there completed their organization by the election of a speaker and other necessary officers.

The terrible effects of the hurricane of August, 1899, which

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had caused great devastation, loss of life and property, and general distress in the island, were fast disappearing. Something like 32,000,000 rations had been distributed by the Army during the ten months succeeding the hurricane, and the result was not generally considered to have been helpful to the people in its ulterior effects. So, upon the advent of the civil government, the special distribution to the planters had been promptly discontinued, and the general distribution throughout the island, after due notice, was stopped on the 15th of July. It had been usual to circulate reports of "destitution and starvation," and such conditions, or something approximating them, may have to some extent prevailed. There have always been poverty and destitution in this as well as in other islands of the tropics, and, on reflection, that is not very surprising. Where nature has done so much for man and requires so little in return, the problem of subsistence needs but a modicum of energy for its practical solution. A policy of "no work no ration" was promptly instituted, apparently with good results throughout the island, as it soon became more clearly apparent that the cry of "destitution" was raised more for political effect than from any necessities based upon actual conditions.

Two other causes contributed to the unsettled condition of the island, both of which, like the distribution of rations, arose out of kindly and charitable motives. The first was the remission of taxes because of losses caused by the hurricane, and the second the suspension of the law providing for the foreclosure of mortgages. The continuation of the latter was reluctantly proclaimed by the military authorities in April, 1900, for the last time. This postponed foreclosures until the 19th of January, 1901. It was thought to be the duty of the civil government to let it be publicly known at as early a date as possible that the enforcement of the mortgage law would not be further deferred, and that all people possessing means and able to pay their taxes would be expected in future to bear their proper share of the burdens of government.

To succeed the two members of the executive council who had resigned on the 6th of September, the President appointed two Porto Ricans. The appointment of the full complement of officers and the complete organization of the legislative assembly not only relieved the executive to some extent from very onerous

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responsibility, but was a long stride in the direction of local self-government, and gave the native population great satisfaction. The house of delegates being almost entirely Porto Rican, and the executive council being largely so, the assembly could be fairly considered as reflecting the capacity of this insular people for local legislation.

Progressive period.—This period properly begins with the organization of the legislative assembly on December 3d, 1900. The two chambers having duly organized, notified the governor of that action on December 4th. On that day both branches of the assembly met in joint session at the theatre in the Plaza de Colon, that being the only building in San Juan large enough to accommodate the crowds of people who attended the opening session of the legislature.

The executive council, headed by its president, and the house of delegates, led by its speaker, marched in procession from their respective halls to the theatre. This auditorium is capable of holding about 2,000 people. It was beautifully decorated with American flags, palms, and a great variety of potted plants. These gave it a holiday aspect, and, with the tasteful costumes of the ladies present, made a most attractive picture. Upon one side of the stage were seated the members of the executive council, and upon the other, facing them, were arranged the members of the house of delegates. At a large table in the centre, and facing the audience assembled in the body of the house, were seated the president of the executive council, Judge Hunt, and the speaker of the house of delegates, Mr. Rossy. The parquet was floored over, bringing it to a level with the stage, and was filled to overflowing with a deeply interested and very orderly throng of spectators. The boxes on the first floor of the hall on the tier above were reserved for officers of the Army and Navy, the supreme court, and various other public functionaries, and were brilliant with the full-dress uniforms of the officers and the bright and beautiful apparel of the ladies. Officers of the British war ship "Psyche" were in attendance in full uniform, as interested spectators of this unusual scene. The upper gallery was packed with a quiet crowd of native islanders. No audience in any country could have conducted itself with better order and decorum. As soon as the legislative assembly in joint session was seated, the governor was notified and made

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his appearance, accompanied by several officers, both civil and military. He was met at the entrance by a joint committee of the legislative assembly, and escorted through the broad central aisle to the seat reserved for him upon the stage between the two presiding officers.

The proceedings consisted principally of the address of the governor to the legislative assembly, which supplied the place of an opening message. This being the first discourse of the kind ever delivered in Porto Rico, it was listened to with great interest. It was read by the governor in English, and topic by topic was translated into Spanish by a competent interpreter. Being regarded by the people as an indication of the purposes of the American Administration with respect to the island, the address was received throughout with great cordiality and many expressions of entire satisfaction. At their ensuing sessions, the two houses at once proceeded to take up the recommendations which had been made to them by the chief magistrate, and to consider bills concerning the same. When it is remembered that there was not a single member of the house of delegates who had heretofore had any experience in American methods of parliamentary procedure, the work of that body is entitled to very great credit. Many bills were introduced, but comparatively few were passed. The executive council, however, had been in frequent session since the 28th of June, and had acquired all the steadiness of a reliable legislative body, as it soon proved itself to be.

By the organic act the session of the legislative assembly was limited to sixty days. Though some time was probably lost during the early days of the session, the members of the assembly, when they became accustomed to legislative business, worked diligently and steadily, holding during the month of January two or three sessions daily, and finally adjourned late at night on the last day of that month, in entire cordiality and good feeling, having placed upon the statute book thirty-six laws, all of them believed to have been wisely enacted. Altogether, there were introduced in both houses one hundred and thirty-three bills, of which one hundred and five were house bills, and twenty-eight council bills. Of the house bills fourteen became laws, and of the council bills twenty-two. A joint resolution originating in the council and a memorial to Congress originating in the house were also passed early in the session. All the enactments of the

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legislative assembly, with the exception of one measure which was vetoed on technical grounds, received the executive approval, and the entire session was characterized by the utmost harmony and good feeling between the legislative and the executive departments.

The session of the legislature was well conducted and entirely creditable. The statute book should be judged by its quality rather than by its quantity. There is not a bad law in the book; very likely, some will be modified or amended as time goes on, but it is most unlikely that any will ever be repealed.

The house of delegates refused to continue further the time in which suits for foreclosure of mortgages might not be brought, and by this action Porto Ricans themselves announced that the law of contracts shall be inviolate in the island. It also passed an act authorizing the government to contract a loan of $3,000,000 for the benefit of the agriculturists of the island. This bill was defeated in the council, and was the one instance of the session in which a clean-cut line was drawn between Continentals and Islanders, the five Porto Ricans voting for the measure, and five of the Americans against it. Throughout the session good feeling prevailed among the members and between the two houses, and after one or two experiences the defeat of a measure was accepted in good part by those who desired its passage.

At the close of the session the usual resolutions of thanks to the presiding officers were passed, and a stranger casually visiting the assembly would never have known that one of the most interesting experiments in the formation of a new government was just about to close.

The most important action of the legislature of Porto Rico, perhaps, was the enacting of the revenue law which came to be generally known as the "Hollander bill," from the Hon. J. H. Hollander, who introduced the measure. Based upon modern methods of taxation, prepared by Dr. Hollander after an expert and careful study of the local situation, it is so well adapted to the wants of the people and of the country that it is not only working with remarkable smoothness, but is yielding a revenue quite sufficient for the needs of government. More than that, the measure is so framed that the legislature, by changing percentages, may increase or reduce taxation, or by modifications of the excise features it may maintain the revenue by shifting the

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tax from one commodity to another, as circumstances seem to require. Naturally, such a radical departure from tax systems of centuries aroused great apprehension among property holders, before the justice and fairness of the measure were understood and appreciated. But so well did it meet the needs of the situation, that it was possible to anticipate by more than eight months the time fixed by Congress for the discontinuance of the tariff provisions of the organic act (which were to expire by law in March, 1902), and to permit the legislature, in extraordinary session on July 4th, to pass the joint resolution informing the President that the legislative assembly of Porto Rico had enacted and put into operation a system of local taxation to meet the necessities of the government of Porto Rico; on receipt of which, on the 25th of July, 1901, he issued his proclamation declaring free trade between the United States and Porto Rico.

It will not be out of place here to call attention to the wisdom of the tariff discrimination in favor of Porto Rico enacted in the organic law, by which, owing to the growing business, the needs of government in the way of revenue were so well supplied that those charged with the administration of affairs could devote their best energies to devising a system of revenue for the island which should be permanent.

The financial situation, indeed, at the beginning of the civil government, caused much anxiety. But the administration determined that economy, prudence, absolute honesty on the part of all public functionaries, should be insisted upon, and that the safe, old-fashioned policy of "pay as you go" should be rigorously carried out. The revenue from customs receipts was the greatest help. True, the receipts for the first week, ending May 7th, only amounted to $1,505.87; but they increased weekly, until in the third week of January last the receipts from customs alone amounted to over $46,000.00; or in itself, in that proportion, more than enough to provide for the entire budget of about two million dollars.

In addition to this satisfactory income, there remained unexpended a large balance from the "two million dollar fund," and also the entire collections in the North of customs on merchandise received in the various ports in the United States from Porto Rico, during the period of civil government. So that the first fiscal year closed on June 30th, 1900, with all bills paid;

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with a valuation of the island of over one hundred million dollars—against which there was not a dollar of floating or funded insular debt—and with a clean, wholesome surplus of over one and a half million dollars, entirely available and subject to check.

Such is the result of the first year's American administration of Porto Rico: civil government fully established and running smoothly in all departments; a complete financial reorganization, with a lower rate of taxation than elsewhere to be found, and yet yielding abundant revenue; a people contented and beginning to realize the benefits of American sovereignty, and ready to understand, perhaps, the real meaning of the motto on their Great Seal, "*Prospera lux oritur*"—a happy day is dawning.

CHARLES H. ALLEN.

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THE CONFERENCE FOR INDUSTRIAL PEACE.

BY OSCAR S. STRAUS, FORMERLY UNITED STATES MINISTER TO TURKEY.

THE recent conference under the auspices of the National Civic Federation for Industrial Peace, which assembled in the rooms of the New York Board of Trade and Transportation on December 16th and 17th last, was significant. Some claim that it will mark an epoch; I prefer to await permanent results rather than to indulge in predictions begotten of hopes. The Conference was made up of the chief leaders of organized labor, representing a membership of 2,000,000, some of the foremost representatives of the largest employers of labor, and, lastly, a number of men who by their character, standing, and unselfish services for the general welfare, represented the great public as a whole, not as diversified or separated groups, not as capitalists or laborers, but in their collective interests as members of the great body politic of our country. The Conference was significant in the fact that these varied and often warring interests assembled on a common ground, upon equal terms, with the desire of effecting results which would be advantageous to all of them by promoting industrial peace. The purpose was not to evolve theories, nor to scold at conditions, but to recognize conditions, and to endeavor in a practical way to formulate a practical plan to bring about practical harmony between the various represented interests.

The key-note of the Conference was sounded by John Mitchell, President of the United Mine Workers of America, when he stated, speaking from an experience gained from participation in as many strikes as any one of his age has taken part in:

"If the employers of labor and the representatives of the labor unions can meet in honest conference; if, when they meet, they will tell one another the absolute truth; I dare say the days of strikes and lock-outs

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shall be over. I have never seen in my experience a strike that could not have been averted, if the employers and the men who work had met in conference before the strike was started."

The other representatives of organized labor, such as Gompers, Sargent, and Keefe, expressed equally hopeful views on similar lines, to the effect that, if the representatives of labor and capital, instead of trying to misunderstand each other, "will sit down and reason together, they will hasten industrial peace." The spirit of the Conference was encouraging, its deliberations were carried on upon a high and broad plane, a circumstance which was due, no doubt, to the fact that the representatives of capital and labor and of the general public met in a conciliatory and not in a carping mood, and did "sit down and reason together."

There were not lacking those who prophesied that it would be impossible to bring about a conference of so many of the leading representatives of organized labor and organized capital. That this was done is largely due to the energy, tact, and judgment of Mr. Ralph M. Easley, the Secretary of the National Civic Federation, and to his advisers, among whom were John Mitchell, Archbishop Ireland, Samuel Gompers, President of the American Federation of Labor, and Senator Marcus Hanna. There were others who, reasoning from past failures and from pessimistic premises, prophesied that, even if such a conference could be brought about, it would result in widening the very gap its promoters desired to bridge over. I cannot better illustrate the result of the Conference than by setting out the plan and scope of work which it unanimously adopted:

"The scope and province of this department shall be to do what may seem best to promote industrial peace; to be helpful in establishing rightful relations between employers and workers; by its good offices to endeavor to obviate and prevent strikes and lock-outs; to aid in renewing industrial relations where a rupture has occurred.

"That at all times representatives of employers and workers, organized or unorganized, should confer for the adjustment of differences or disputes before an acute stage is reached, and thus avoid or minimize the number of strikes or lock-outs.

"That mutual agreements as to conditions under which labor shall be performed should be encouraged, and that when agreements are made the terms thereof should be faithfully adhered to both in letter and spirit by both parties.

"This department, either as a whole, or a sub-committee by it appointed, shall when requested act as a forum to adjust and decide upon

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questions at issue between workers and their employers, provided in its opinion the subject is one of sufficient importance.

"This department will not consider abstract industrial problems.

"This department assumes no powers of arbitration unless such powers be conferred by both parties to a dispute."

This plan is not Utopian; it does not undertake the impossible or the impracticable; its premise is voluntary action, based upon equality of rights and upon mutual concessions. The plan, it will be observed, is broad; it includes all labor, "organized and unorganized." The duty of the permanent committee is primarily preventative, "by its good offices to endeavor to obviate and prevent strikes and lock-outs." The victories which capital and labor will win under its auspices are calculated to be such as Disraeli achieved at the Congress of Berlin, bringing "peace with honor," and not such as Pyrrhus won over the Romans, when he said: "If we have such another victory, we are undone."

The plan upon which the permanent committee was formed is so simple, and so evidently just to all interests, that it is surprising it has not been tried before. While not new in itself, it is new in its application. The permanent standing committee is tripartite in its composition, embracing representatives of the two parties in direct interest, and of the third party holding the scales between them. Its chief aim is not to decide issues, but to bring parties together, to compose misunderstandings, to confer and adjust disagreements at their inception before the strike stage is reached, and to remove the causes that usually lead to that stage. In other words, its main object will be to promote, and under exceptional conditions to restore, industrial peace.

That the Committee will effect much good it is also fair to assume, by reason of the public confidence in the purposes, sincerity, and character of the members of the committee who represent the Public, Employers, and Laborers, headed, respectively, by ex-President Cleveland, Senator Hanna, and Samuel Gompers. Mr. Cleveland, whose distinguished and arduous public services have earned for him the right to enjoy his years free from public and semi-public duties, has given another evidence of his devotion to the general welfare by consenting to act as a member of this permanent committee. The fact that his acceptance was written in a sick-room emphasizes his deep interest in the cause of industrial peace. He says: "My reflections have

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made it clear to me that I should accept the place assigned to me; and I do so with an earnest wish that those selected to actively represent the purposes and motives of your conference may not labor in vain."

The Conference gave an object-lesson of friendly deliberation in the spirit which pervaded it and characterized the discussions. The representatives of labor and capital spoke from the same platform, not only asserting their rights but conceding their respective errors and shortcomings. The emphatic statement by Mr. Schwab, the President of the United States Steel Company, that labor unions will never succeed as trusts in the attempt to restrict output, or in the attempt to put any restrictions upon trade in general, and that great trusts formed to control the output of any commodity, so as to raise its price, have all failed and will fail, was received by Mr. Gompers with the statement that:

"There is in our time, if not a harmony of interests, a community of interests that industrial peace shall be maintained. I will not join in that hue and cry against the combinations of capital; I realize that that is a matter of economy, of development and strength. I want to see the wage-earners discuss with the employers the question of wages and the hours of labor, and the conditions of employment that shall tend to the uplifting of the human family consistently with the industrial and commercial success of the country."

The report of the Conference will be published in full; and it is hoped that it will have the effect of bringing its light and spirit into every workshop, factory, and mine in the country, for the guidance and edification of employer as well as workman. That the problem is a difficult one; that its solution or even partial solution has not been effected in European countries, is no reason why in this country we should not ultimately reach better results. In our country, the chasm between classes, between capital and labor, is neither so wide nor so deep as it is in Europe; the transit from one class to another is continuous here. It does not require three generations to pass from the one class to the other; often only a few years of energy, industry, and ability suffice to effect the transfer. The employer and the wage-earner, therefore, ought to understand one another better, and they do understand one another better here than in Europe. The organization of laborers, instead of obstructing the relations between the employer and his employees, will, in proportion as the rights

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of each are better recognized by the other, have just the contrary effect. If this "permanent forum," as the committee has been called, does nothing more than afford, to the representatives of the employers and of the workmen, a common meeting-ground on which they can discuss with each other their rights and their grievances as they arise, and if it can help to clear away misunderstandings without irritation and passion, it will perform a service of far-reaching effect. The mutterings of threatened disturbance will be a signal to summon the committee. Once summoned, the respective interests as represented on the committee will confront each other in the friendly councils of their colleagues.

That is precisely what has taken place since the writing of this article was begun. Nearly a year ago, the United Garment Workers of America, the union of organizations of garment cutters, asked the clothing manufacturers, through the National Association, to grant the cutters a working-day of eight hours. The clothiers firmly declined the request. The leaders of the union instituted a movement to strengthen their organization, so that the organization grew from about 20,000 to 40,000 members, all pledged to the struggle which was impending. The garment workers decided in December last to take their stand during the month of January. The committee that was appointed at the recent Industrial Conference has among its membership the leading representatives of both of these interests. An informal meeting of the local members of the committee was called on January 9th, and at this meeting a compromise was expeditiously reached, and the basis of an agreement was formulated by the leaders themselves, without even the need of the active participation of the other members of the committee. The agreement which has been reached, according to the statement of the representatives, will apply to the manufacturers and cutters in New York, Boston, Philadelphia, Chicago, St. Louis, Syracuse, Utica, Rochester, Baltimore, and Cincinnati, and elsewhere throughout the country where this large industry is carried on. It affects no less than 40,000 workmen, and carries with it all the advantages and blessings that appertain to uninterrupted employment in this field of labor.

Competition, which is the propelling wheel in commerce and manufacture, which has stimulated modern inventions and the

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improvement of conditions, has affected the practical application of the principle of organization and consolidation which is characteristic of our generation. Consolidation and organization on the employer's side have, naturally and perhaps necessarily, been followed by consolidation and organization on the side of labor. The new responsibilities, duties and powers thus accruing to both are not yet fully assimilated; but it can be truly said that each side is beginning to respect the rights of the other, and that both are ready to recognize the natural laws of their respective development. This is a great point gained. As Carroll D. Wright, the United States Commissioner of Labor, states in the January number of the REVIEW:

> "After a long and tedious contest against great odds, covering nearly a century of time, consolidated labor was able to throw off legal disabilities, and take its place among modern institutions as a recognized force in public welfare, and there it must remain. . . . In our own as well as in the old country, the history of consolidated labor constitutes an integral part of our industrial development."

This same author summarizes the losses which have occurred through strikes during the last twenty years. The wage loss was $257,863,478; the employers lost $122,731,121. The suffering and distress, the direct and consequential losses that accompanied the pecuniary loss represented by these figures, cannot be summarized; they do not yield themselves to calculation, but they stimulate the ethical force that awakens the public conscience to the imperative duty of solving this most urgent problem of our day and generation. I am sure every member of the committee has accepted his position thereon with the sincere purpose to give his best efforts to its solution, and the faith that public opinion will encourage these efforts by its weighty support. The natural and legitimate desire on the part of wage-earners to elevate their standard of living and to improve their condition consistently with the laws of trade, must, from a sense of enlightened self-interest, win the sympathy of the employer class. No better evidence of progress in this direction need be cited than the assembling of this Conference, composed, as it was, of so many representative members, and the good feeling and harmony that characterized its proceedings from beginning to end.

Bishop Potter, in concluding his address at the Conference, said in substance:

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"The labor organizations get their members into a room, and they are harangued by none others but men who look at their side of the problem. The capitalists, on the other hand, do the same thing. If I were asked to design a seal for this department, it would be the representation of the fable of the knights of the gold and silver shield, each charging the other with being a liar, because neither of them could see both sides of the shield."

This striking illustration suggests the main function and purposes of the committee—to enable both sides of this ever menacing labor question to see both sides of the question, and to apply its mystic powers to protecting the rights of each with a view to guarding and promoting Industrial Peace.

OSCAR S. STRAUS.

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LAUNCHING A BATTLESHIP FROM THE CONGRESSIONAL WAYS.

BY WILLIAM M'ADOO, FORMERLY ASSISTANT SECRETARY OF THE UNITED STATES NAVY.

GAZING at a warship lying at anchor in any of our bays, and taking in the splendid proportions, the strength, dignity and power represented by it, one's mind naturally reverts to the professional men who planned it, the builders who executed the work, and the officers and crew who man it. Here is a condensation of the best efforts of science and mechanical skill—this wonderful modern war engine, so graceful and so majestic, so instructive and pleasing to the expert critic, and so inspiring to the patriot. We can see in this embodied result the research of scientific learning, mathematical accuracy, and long and patient toil, from the day the ore left its native hills until this creation of man's experience, skill and industry appears before us as the defender of a nation's rights, liberty and honor. We imagine this ship as born in the professional council of the minds which conceived the design; but in truth hammer had never rung on its sides, nor would it have floated here, had it not been piloted skilfully through the waters of executive council and Congressional deliberation and debate.

Let us see how a warship comes to be a thing in reality from a mere conception of the professional mind. In the Navy Department there is a board composed of the heads of the Bureaus of Construction, Steam Engineering, Ordnance, Equipment, and Navigation, and Chief Intelligence Officer; and over all these is the Secretary of the Navy, who represents the President and speaks and acts for him. This board, called the Board of Construction, the General Board, of which Admiral Dewey is head, and the Chief Constructor, are the main factors in formulating

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plans for new ships. The Secretary personifies the sovereignty of the civil power, as distinguished from the military or professional. He is the final and undisputed arbiter, against whose veto no action is taken, and without whose approval no official act is complete. He must be advised on the one side as to what the profession deem best for the Navy; and on the other he must be guided by the largest questions of public policy as to what is best for the nation. Before the opening of each Congress, he draws up his annual report, which is a résumé of the work of the Department for the preceding months. The wants of the service, both as to personnel and material, are stated, and Congress is urged to meet them by proper legislation.

In every report there is a building programme; that is, the Secretary states how many and what classes of ships he deems should be built in the coming year. Here is the genesis of the battleship. Before he commits himself to recommendations, he consults the professional advisers in the Department, and his recommendation as to numbers and types is generally, though not always, a consensus of professional opinion. There have been striking instances in the civil history of the Navy where the Secretary has gotten his plans outside of the Navy Department and pushed his own policy into practice as to the number and kind of ships to be built; if he so desires he has the unquestioned power to do so. Once, however, the Secretary and the General Board, which corresponds in practice somewhat to the British Admiralty, have agreed on the character of the ships, the Bureaus of Construction, Steam Engineering, Ordnance and Equipment, begin the elaboration of plans. All questions of weights, displacement and speed are put through the crucible of most careful analysis and accurate calculation; every calculation is verified again and again; models are made and tested in the proving tank at the Washington Navy Yard; all friction between the different bureaus, if any arises, must be harmonized. The hull with its armor must be capable of carrying the requirements as to ordnance; the engines, as to weight, space and speed, must meet the requirements of the completed design; the equipment must make the ship efficient, comfortable and sanitary, so as to keep at their best the living intelligences which are to inhabit her, and without which, however otherwise powerful, she would be an inert and dead thing.

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The Secretary having concluded his labors and made his recommendations, reports the results to the President. Unless the President agrees to the report the recommendations are not made to Congress, and all the departmental labors will have been for naught. The President having agreed to the Secretary's report, generally embodies in his annual message his views regarding the policies recommended. His endorsement of the Secretary's recommendations for building new ships may be either positive and earnest, or conventional and conservative. The recommendations of the Executive are, so far as the building of new ships is concerned, first taken up by the House of Representatives. The report is referred to the Committee on Naval Affairs, which is composed of seventeen men. The chairman of this committee and a majority of its members belong to the party controlling the House.

Our ship has now entered the stormy and sometimes dangerous waters of Congressional life. She may have received the professional and departmental sanction, but she is very likely to encounter here critics, and, possibly, enemies. Her fate is before these seventeen men. If a majority of them decide to leave her out of the appropriation bill she will vanish into the ghostland of unacted resolutions. These men are the jurors and are sovereign in their decision so far as the House is concerned. They may, if they wish, reject the highest expert opinion, and may, and very frequently do, make a naval programme of their own. Here is seen the influence of that latent jealousy which exists in all countries between the civilian and the professional soldier and sailor. It is not a turbulent and factious opposition, but one who has listened to the debates can readily see how reluctant the civilian representative is to accepting professional advice if it is thrust upon him cavalierly, and without due acknowledgment of his powers. "I know more about building a ship than you do," says the professional authority, "and you should accept my opinions without question." "You shall build no ships unless you convince me," is the retort of the civilian. It generally happens, too, that in any contest of this kind, professional opinion is divided, so that a representative who opposes the official recommendations can readily find experts to whom he can appeal in behalf of his contention—officers in and out of the service, within, of course, the limits of the Naval Regulations; naval architects, ship build-

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ers, specialist writers for newspapers and magazines on questions relating to the Navy and the building of warships, and foreign opinions of a professional or other character from a multitude of sources. A strong-minded chairman of committee having his colleagues well in hand might easily defeat the united professional recommendation, say, for superimposed turrets, and in the debate in the House, composed altogether of laymen, so take advantage of professional differences in the naval world as to convince the majority that he had the best of the argument. These seventeen men, who now labor in travail with the future warship, represent many callings and all sections of the country. In times past, in the long and bitter struggles that begot the first of the New Navy, the opposition showed political, sectional, temperamental and economic differences, and sociological distrust of a professional, military body of any kind, and at times, it must be confessed, a lamentable ignorance of the subject. At the legislative beginnings of the New Navy its worst enemy was indifference. The naval question was entirely subordinated to economic ones. You could fill the House to build a post-office; you could scarcely ever get a quorum to listen to a debate on a battleship. Many otherwise patriotic men believed that war was over, and to none did this seem more plausible than to the survivors on both sides of the great civil strife through which the Republic had passed.

The Naval Affairs Committee is divided into sub-committees following the leading subjects of appropriation, such as ordnance, and construction and repairs. This latter sub-division is the first to consider the building programme. This sub-committee makes its report to the full committee. If the House is in political sympathy with the Executive, and the Secretary of the Navy for the time being has those personal qualities which commend him to members of the committee who belong to the same political party, the views of the Department will have great weight. It is always fortunate for the Navy when the Secretary commands the respect, confidence and good will of the chairmen of the Naval Affairs Committees in the House and Senate; and it does not always follow that a Congress of the same political faith with the President will follow his views on the naval programme, if they differ with him on other subjects. Friction of a political or personal character between the Executive and Congress will always endanger the execution of the Depart-

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ment's policy, and in cases of this character the Secretary may find warmer friends among the party in opposition than among those who belong to his own party. It is in this respect that the personality of the Secretary becomes a great factor in the case. A personal disagreement which has given offence to a leading member of either committee in the House or Senate may beget bitter, revengeful, and relentless opposition to any policy he may propose. Nice questions in the matter of official patronage; the extension of official courtesies, and the giving of intentional or unintended offence, may make a Secretary many enemies. Under normal conditions, and outside of the stress of war or great public enthusiasm, such as followed the battles of Manila and Santiago, harmonizing influences must be constantly at work to carry on a project such as the upbuilding of the Navy, at once national in its larger aims and local and sectional in its actual construction. It is different in England, where all parties are for naval increase, but in Germany, as here, other questions interlace with the naval one, and the government's programme has often no easy road, but in Germany the general and well rounded building scheme is never compromised as to details. Other great appropriations submitted to Congress have behind them the brutal and debauching "pork barrel" argument. You can scatter post-offices and court-houses with a lavish hand, as the farmer sows his seed, and battalions of votes will marshal themselves to defend their local interests; and when you rain the contents of the national treasury over a happy land to make waters flow where none flowed before, or check them from flowing where now the sea surges, nearly every hand is out to grasp at the golden shower, and the voice of every district, not excepting the arid lands, is warning the unhappy representative, on pain of political oblivion, to get his full share, and, if possible, a little more. A member may vote against battleships who would expire at the very thought of opposing a pension bill, without regard to its amount or its justice. At some time in his life every citizen has been in a post-office, or has certainly received a letter; millions will live and die without ever having viewed a warship, and thousands of good patriots are personally better acquainted with the local letter-carrier than they are with Admiral Dewey.

It is different with questions relating to the Army. The Navy is unlike the Army in this respect—that it has practically

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no professional representatives in either House. In both Houses of Congress the soldiers of both the Union and Confederate Armies are well represented; not so with the sailors. Even in the greatest navy, the personnel is insignificant in numbers as compared with that of a great army. Six hundred men on board a battleship may, in a decisive conflict, at an important point, do or undo the work of a whole army corps; and yet, when the war is over and the relative numbers melt back again into the mass of citizens, the sailor bears a ridiculous proportion to those who fought on land. A great army represents hundreds of thousands of homes where a deep personal interest is taken in its movements, and a strong attachment and loyalty is formed for all its members. After the conflict is over, its influence on the civil administration is very great and far-reaching. The military element, by which is meant the ex-soldiers in both Houses, while generally friendly to the increase of the naval establishment, are often indifferent critics; and in the beginnings of the New Navy it was hard to convince the veterans of 1861-5 how thoroughly obsolete the ordnance and ships of that period were, and how largely modern tactics and weapons have discounted the greatest gallantry and personal bravery.

The sub-committee having reported their findings to the larger committee, the bill is then dealt with as a whole. The first consideration is as to the total amount of all the appropriations, which has to be carefully compared with those of other years. If the keynote of the session is economy, the chairman of the committee is solemnly warned by the leaders of his party in the House that all the appropriations must be unsparingly pared. He hears on all sides mutterings of bitter opposition to any increase over the preceding session. If in the country at large there is a national issue on economical administration, his party colleagues will bring every pressure to bear on him in order that his appropriation may not exceed that of the Opposition when last in power. Under such conditions the bill is before the whole committee; with an earnest endeavor to keep down the aggregate, it will be impossible to meet all the demands of the establishment, and some otherwise laudable projects will have to suffer delay or permanent defeat. Shall we give up a dock for a battleship, a machine-shop for a gunboat, a cruiser for a thousand additional men; shall we reduce the scrub-women and increase the

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torpedo-boats? The committee as a whole is generally favorable to naval increase, and the following epitome of difference does not apply to it as a sample of its deliberations.

"Gentlemen," says a member from an Eastern seaport, "my people are at the mercy of England and Germany, and I have been told confidentially that we are practically defenseless. What we want are battleships that can stand up and fight, and quick enough to manœuvre with good speed. They are the cheapest defence on the whole, and there is no substitute for them. Let us have real fighting-ships, not make-believe fighting-ships. If we have to fight at all we want to fight well; we don't want canal-boats with painted ports, or converted cattle-ships, or Jules Verne's lobster chasers." "Let us go slow," says a member from the interior. "Appropriations are very great. If Kaiser Wilhelm's battleships can get up Sinkinany creek in the month of August, they don't draw enough water to mix a cup of tea in the House restaurant. What we want to do is to chase the big merchant-ships, build fast cruisers that will run down the merchant-marine and fine the enemy in hard cash; destroy his merchant-marine, as England indirectly destroyed ours during the Civil War. Let us have one with a thirty-knot speed, so that she can catch the 'Lucania' and 'Kaiser Wilhelm der Grosse.' If she can run for them and run from them, she can do them up with a few duck-guns, so that you needn't pay much attention to ordnance, but just fill her up with engines, and give her six screws." "Well," says the Eastern seaboard members, "let us compromise, and in order to be sure that the battleship will not get us into any trouble with foreign nations, let us call her a 'coast-defence' battleship."

Here it may be stated that the first battleships built were designated by the Department itself as "coast-defence" battleships. These terms were undoubtedly used, as a matter of policy, to avoid Congressional opposition and meet the objections of those members and senators who were sternly opposed to our becoming a world power in the naval sense. These men believed that a battleship, simply for coast-defense, might be all right, but that a battleship which could steam across the ocean and fight would be a great national menace. The so-called coast-defence battleships are effective engines of war in the Far East, and would be safer for a trip around the world than the best Atlantic liner.

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"I am opposed," says another member, "to building a battleship, and believe we should build small gun-boats." "And I," says another, "believe we should build torpedo-boats." "I, gentlemen," says another, "believe we should eliminate the whole programme and build submarine boats." "I object to the naval programme," says another member, "because the Navy is entirely an Eastern project, and all the money spent in its building is expended there and benefits that section alone." This last narrow and unpatriotic argument never found any great number of advocates. Indeed, some of the stanchest and best friends of the upbuilding of the Navy came from the Middle and Far West.

The committee generally gives hearings to the naval officers of the Department, and often requests the presence of the Secretary himself to explain in detail the proposed naval programme. Here the tact and diplomacy of the Executive office come into play. Individual members frequently come to the Department and ask for professional explanations of the character of the proposed work. If the ship is ever to be built, a wise Secretary will understand at once that the members of the committee must be reasoned with, and the whole machinery of the Department, if necessary, put in action for their enlightenment. Frequent visiting of the existing warships is a kind of object-lesson teaching which is most efficacious. Private friendships existing between naval officers and members and senators are sometimes of more effect than long range discussions; and, above and beyond all, nowhere is the press more potent. Intelligent discussions in the great dailies, in magazines and books, are very apt to affect the Congressional mind. The rudder which steers the Congressional ship through the fogs of committee debate, personal differences and the clash of interests is the aroused intelligence and forcibly expressed opinion of the majority of the people. As in nearly all cases in deliberative bodies, the programme finally agreed upon is one of compromises. It was only last winter that the country saw the whole naval programme held up for months in the fierce controversy as to the building of additional submarine boats. Often the proud squadron of battleships on paper which sets out from the granite building on Pennsylvania Avenue, emerges from the committee room on Capitol Hill decimated in numbers and reduced in proportions. The lay architect has taken a hand. Backed by the expert critics of the official proposals, he has in-

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creased or decreased the number of guns, made them rapid of fire or otherwise, fixed new standards of speed, and marred or improved, as only the future can tell. Here is the weakest point in our naval progress, begetting lack of uniformity in type and of continuity of the building programme. A great, harmonious professional scheme having a definite end wanders off into needless varieties, halts, and all but stops one year, and rushes recklessly forward the year following.

The committee having agreed on the bill, it is reported to the House, accompanied by a report, generally more or less argumentative and statistical. The committee now has the laboring oar. It has worked for months on the bill in a strong educational atmosphere, and in more or less constant touch with the Department and the naval profession. Many of its members have listened to professional arguments, and have read carefully much professional matter in books and elsewhere. They have crammed up on the history of naval progress. They must now convert their less fortunate fellows. The first essential for the success of the new ship is that the committee shall be united. A divided committee in an indifferent or unfriendly House might as well abandon its programme. If the committee is thoroughly aroused to the patriotic duty of insuring the building of the new ships, the members have to become missionaries among their fellows. The proposed ship is now sailing on dangerous and tempestuous waters. She must be piloted by a clear head, a steady hand and a quick eye. She has passed out of the bay into the open waters of the Congressional Sea, into which we shall try to follow her.

She is now in the House and well within the range of another committee fortification. The cold, critical eyes of the leaders of the Committee on Appropriations, which, next to that of Ways and Means, is by far the most powerful committee in the House, are upon her. This committee, until some years ago, handled practically all of the appropriations, including that for the naval establishment. They resented bitterly the division of their powers, and in fact withstood repeated assaults before the present rules were finally carried. It is no charge against the patriotism of the members of this committee to say that it is very doubtful, had the rule remained unchanged, if the New Navy could have been built at all. Through this committee, as through a flood gate, rushed the enormous appropriations for the whole

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conduct of the government. In the turbulent outrush of waters which threaten to drain the reservoir, the general inclination is very properly to lower the sluice gate. The grand totals are always in view; the enormous physical task of examining into these vast and widespread expenditures is of itself sufficient to prevent such a great, national, international, scientific, and mechanical subject as the Navy from receiving the consideration to which it is entitled; the overworked members, struggling in a chaos of statistics and disordered heaps of figures, have no time for careful and studious consideration of great and far-reaching questions of national and international importance. Among the members of this committee the appropriations for the increase of the Navy have found their most earnest and critical opponents.

The bill is to be assailed with broadsides of figures; comparisons with other appropriations, cost of maintenance of warships, cost of deviation from plans, increase in actual expenditures over estimates, difference in cost of ships of the same type, with decided preference for the most economic ship at the possible sacrifice of the most efficient one. Sometimes this opposition is very bitter and determined, and if the bill is not to be lost, the Naval Affairs Committee must countermine against the enemy's arithmetic, oppose the narrow objections of locality with the greater wants of the nation, defend the wisdom of professional experience against the pretensions of lay ignorance, and place their chief reliance on the general patriotism and pride of country of the majority of their colleagues.

The appropriation bills in the House, being placed on the calendar irregularly, come up without any special regard to order in the later weeks of the session. To each bill is assigned a day for general debate, to be followed by reading in Committee of the Whole, section by section, and then more debate to close. The order and length of debate are generally governed by a resolution of the Committee on Rules, made an order of the House. In the general debate the chairman of the Naval Affairs Committee is supposed to enlighten the House fully on all the features of the bill, dwelling, of course, more especially on the increase of the Navy. This debate at times, of late years, has become very spirited and often heated. The magnitude of the sums involved and the questions of national and international policies are so interlaced that there is a wide range of discussion.

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Sometimes the debate wanders off into side issues, in which the original question is lost sight of. Sometimes it becomes personal, sectional and partisan. Much depends on the chairman of the committee; he requires a thorough knowledge of his subject, expertness in debate, tact, diplomacy and good judgment, and, above all, the confidence of his colleagues. If his personal relations are unpleasant with the body of the membership, some of his colleagues on the committee must shoulder most of the work. When the New Navy was first started the opposition was not so much partisan, in that it did not follow the cleavage between the two political parties, but it was mostly personal and sectional. The opposition might be classified as, first, the general opposition to any professional military establishment, arising from a fear that a great navy would be a temptation to war, and also the source of very large expenditures; secondly, an opposition arising from a doubt in the lay mind as to whether or not the present ships, so rapid was the progress of naval architecture, would not become obsolete in a few years. This feeling was much augmented by the constant exploiting in the press and elsewhere of new weapons of offence and defence alleged to be powerful, and was heightened by discordance in the professional world on much debated questions of ships, ordnance and armor; and, lastly, a small, but bitter, opposition from the interior of the country based on the contention that the eastern and western seaboards were not so much affected by the lack of naval defence as by their eagerness to stimulate and enrich their shipbuilding plants at the expense of the Government. This last objection has been very much weakened by the fact that, in the construction of the Navy, a large number of industries, extending more or less over all the manufacturing and mining districts of the country, have been employed; and, besides, as the Navy increased, the naval stations and supply depots became more numerous, not only on the Atlantic but also on the Gulf and Pacific coasts; but, better perhaps than any economic argument based on local conditions as to expenditures, was the powerful appeal to sentiment by the felicitous practice of naming the ships after cities and States. A glance at the list in the Naval Register will show that, in this distribution, astute and diplomatic Secretaries of the Navy were quick to give due honor to interior cities and States. We are speaking now more particularly of the period before the Spanish War, the

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brilliant and almost miraculous victories in that war having, it is believed, practically done away with all sectional opposition; so that this in the future is very likely to become a minor factor.

The larger question as to how great a navy we shall need is one on which men will honestly differ, according to their conception as to what is the true mission of the Republic, and what the best policy for its welfare. The friends of the Navy have always insisted that the larger the Navy the greater is the security for peace, on the same principle that the larger the police force the more safety there is for life and property; that a rich nation, weak in its naval and military defence, would be a great temptation to the covetous, overtaxed, less prosperous, but strongly armed, nations of Europe; that our diplomacy, however based on justice and ethical right, would be entirely impotent in dealing with those who, as a rule, recognize no right which has not the might to defend it; that the Navy, especially on this great hemisphere, is a civilizing influence; that the fathers of the Republic in the very articles of the Constitution* show that they did not blend their distrust of a professional military establishment with that of a proper naval defence, believing that a Navy had never imperilled the liberties of the country which created it; that the growth of our trade and the increase of our shipping demanded an increase of the Navy for their protection; that the economy of the naval budget was not to be judged by the amount but by the necessity of the expenditure it proposed, subject, however, to a strict supervision to the end of ensuring an aggressively honest administration. In all these debates the friends of the Navy had a powerful weapon in the admittedly high sense of honor and integrity of naval officers in the details of honest supervision and the high traditions of the service forbade criticism of their motives, even if one disagreed with their judgment.

The debate having consumed the time allotted to it, the bill is then read, section by section, in the committee of the whole House. Sometimes special paragraphs, such as increase of the Navy, are here again reserved for debate, limited to a certain time. The leaders of the House, if the debate becomes important, take part in this discussion. The bill is then voted on by roll call, and, if passed, is properly engrossed and sent to the Senate.

* Vide Art. I., Sec. 8, "To raise and support armies; but no appropriation of money for that use shall be for a longer period than two years; to provide and maintain a navy."

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It may be said that the fate of the New Navy at one time hung largely on the decision of the member who was acting temporarily for the Speaker. The opponents of the Naval Appropriation took the ground that, at each session, the amount to be expended on ships authorized by law had to be especially appropriated for as new law, in separate bills, instead of as a continuing public work. Mr. McCreery, of Kentucky, in the chair, decided that it was a continuing public work and not a new law, and therefore the moneys could be appropriated in the general appropriation bill, and not by special bills for each ship as if it were a public building.

The bill has now gone to the Senate Committee. Our ship has sailed through Statuary Hall, past the august chamber of the Supreme Court, and finds herself anchored in the finely decorated and more or less imposing room of the Committee on Naval Affairs of the Senate. Remembering the provision of the Constitution that all appropriations must originate in the House, one might suppose that these gentlemen had been patiently awaiting the action of the House and the arrival of our warship. Such, however, in practice is far from being the case. Our ship finds herself in a crowded harbor; the Senate Committee has already constructed a programme of their own. Warships above and below the water, docks, novel weapons, battleships, gunboats, armor plate, litter this naval station of the Senate. As oblivious of the House as if the latter had been sitting in Jefferson City, Missouri, and legislating for Pike county, the Senate had considered the estimates, examined and cross-examined officers and experts, given hearings on independent bills for the construction of various craft and weapons of war, and practically formulated its own bill. The senatorial scissors and blue pencil, it can be seen at a glance, will be freely used. The Senate being a smaller body, each member has an unlimited chance of debate, senatorial courtesy rules, and the personal influence of an able and popular Senator is so powerful that the entire atmosphere surrounding the Naval Bill is more or less changed. The consideration given by the Senate Committee to the House bill is more or less, outside of conventional details, a comparison of their own bill with that of the House. The Senate Committee being the agents of a smaller and more compact body are able to give more careful attention and investigation than can the House Committee. They have,

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moreover, this advantage: all of the Senators are elected for a longer term, and many of them have long records of service on the Naval Affairs Committee, so that they have acquired, if only by absorption, a wider range of knowledge regarding the subject. They have in the course of a senatorial career ample opportunity for personal observation of the actual workings of the Naval service. The Department is glad at all times to extend every possible courtesy to a Senator seeking information, and more especially to those on the committee which has charge of its affairs. All the sources of the Navy Department's information are at its command; it sits as a court of appeals to review the verdicts of the House and the decisions of its committee. Here the personality of the Senator is all important. The chairman of the Naval Affairs Committee, for the best interests of the Navy, should, if possible, be in harmony on the naval question with the President and the Secretary, and as well informed as they are. A radical and personal difference between him and the Department will place our proposed ship in very dangerous waters. She will never meet in a long naval career more skilful opponents, more deadly tacticians, more persistent and successful strategists; her dangers are far greater in the apparently smooth waters of the committee harbor than in the open sea of the Senate Chamber. A whispered conversation of five minutes between two powerful Senators may wreck her on a hidden reef, or sink her without a moment's warning. The naval Senator, too, has not the same dread of contemporary opinion; he can afford to discount the pressure of the moment and is not always pursued by the shadow of the biennial nominating convention. In justice, however, to the Senate Committee it should be said that it has been characterized by a fair and equitable disposition to give full and patient hearings on the merits of the question, and has always been courteously kind in allowing both sides to enlighten it with their views.

The opposition in the Senate proper follows somewhat the same lines as in the House, but has at times been characterized by much more bitterness in debate, and by bolder charges and fiercer criticism of persons and things. The ability of every Senator to take the floor gives the widest possible range to discussion. The Senate Committee's bill has now engulfed the House bill, and is frequently marked by independence of both House

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and Department. Of course, at times there is more or less substantial agreement; but now and again, as was shown last session, an intense and irreconcilable divergence between the two programmes springs up, and the contention is carried to the very last minutes of the session, to the peril of public business.

So marked has been the influence of the Senate in shaping the programme for naval increase, that very frequently independent propositions, which could not obtain the consent of the Department, ignore the House entirely and make their fight before the Senate Committee. When the naval appropriation bill is brought up in the Senate, certain Senators, by right of long, consecutive service on the Naval Affairs Committee, are given great consideration by the main body. United and determined opposition by these Senators to the Department's proposals would make their success very doubtful. These Senators have studied the naval question more or less, and have convictions on certain phases of the subject which it is hard to overcome. In both Houses our battleship is always imperilled by Senators and members who have adopted certain professional theories. When the first battleships were being provided for, the opposition rallied around a counter-programme for building monitors. The men forming this opposition were entirely honest, and were led on the outside by a distinguished and gallant admiral then in the service who believed at that time, and no doubt believes now, that a monitor is superior as a fighting machine to any battleship. As a matter of parliamentary tactics, a member or senator who believes the Navy is large enough has a very friendly welcome for any innovator who may propose anything as a substitute for the battleship or armored cruiser. In making up a successful programme, our battleship must sometimes find herself among odd marine collections. Shipbuilding plants and navy yards far apart in the different sections of the country have to be considered as possible competitive bidders. Small yards in one section where they can only build gunboats will of course desire to have more or less of these ships in the bill; and with the renewed activity in American shipbuilding, yards have sprung up in the far northwest and northeast, and signs of activity are seen on the Gulf, while the Lake region has made a most determined effort to have the treaty with Great Britain abrogated, so that gunboats might be built in the well-equipped plants of the Lake cities.

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The debate in the Senate, unlike that in the House, has practically no limit. The average member of the House has to confine himself to his five minutes on a *pro-forma* amendment. A Senator can talk until exhausted on any phase of the naval question, or on subjects far removed from it. In the long, and sometimes bitter, debates in the Senate, the lines of division are more sharply accentuated than in the House. Certain Senators may be called an academic opposition, expressing jealousy of all naval and military establishments, and allowing for no difference between the army and navy as imperialistic and unrepublican institutions, and giving voice to a glowing optimism in unarmed morality and unprotected justice, and a radical distrust of adding to the personnel of a professional military body; criticism of the prerogatives of those holding life offices, whether naval or civilian; others conduct their opposition under the general banner of retrenchment; and, lastly, there is the class alluded to above, who criticise the proposed programme from a more or less naval standpoint. Sometimes an unexpressed conviction that the appropriations should be cut down will lead to objections to the technical programme. The ships are too large; naval architects are in doubt; the ships are too small; there are proposed novelties in them; it would be better to wait for further investigation; many types are becoming obsolete; there are frauds in naval armor; the Government is being defrauded; more work should be done in the navy yards; all work should be done by contract; let us wait until we can all agree—these and many other objections are put forward with no little skill and ability. A strong, earnest appeal by the President on a question like that of the Navy is bound to have great effect, not only with his own party, but with the opposition. Sometimes our battleship is lost sight of entirely in the heat of a Senatorial debate; those bitter and relentless personal feuds which have unfortunately arisen with regard to officers in the service are brought forth, and an acrimonious debate ensues to the great injury of the service.

It would be unjust to the Senate in passing not to say that some of the speeches delivered on naval subjects, both as to material and personnel, are masterly and thoughtful, both those for and against naval increase.

Possessing such powers, the Senate works under greater external pressure from the interests concerned than does the House.

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As in the House, so in the Senate, the general Appropriations Committee has to be admitted into a sort of partnership with the Naval Committee proper in superintending the development and scope of the bill, and especially as regards the actual amount of money to be expended. A great navy is proportionately much more expensive than a great army. A warship requires constant and unremitting attention to keep her in good condition; every foot she moves is at an expenditure for coal; in the course of a year she travels many thousands of miles, involving two great items for coal and oil; shifts in her crew to and from foreign stations require costly transportation; in foreign ports she is more or less at the mercy of local coal-dealers and repair-shops, so that, in addition to her great original cost, it needs a large outlay to keep her fit. This gives the critics of large expenditures an opportunity for invidious, and sometimes unjust, comparison between the aggregates for appropriations for the Army and Navy. A fort having 600 men represents nothing like the expense of a battleship with a smaller number of sailors in her crew. Her first cost is necessarily large, and to keep her in good condition there must be yards at various points, with docks capable of receiving her, surrounded by machine-shops and endless supplies to repair her in case of damage. She has to be fitted out with every appliance. She is a city in herself; she distils her own water; she makes her own electricity; she manufactures her own ice; she must have a perfect sewerage and ventilating system; she must have proper kitchens for all divisions of her crew, suitable sleeping and living apartments for her officers and men, a well-conditioned hospital, a library and a church; and last, but not least, she must have a prison and a police force.

When the debate is ended and the bill has been passed it is sent to the House. Here and there, if they are fortunate, the House members may see some faint traces of their work. Sometimes, in happy years, radical features remain untouched. The House Committee, after considering the bill, generally reports to the House that they dissent from certain Senate amendments, and the bill is returned to the Senate. The Senate reports the bill back to the House, refusing to accede to certain amendments, which are designated, and they ask that conferrees be appointed on the part of the House. The Senate and House appoint conferrees, three on each side. Now comes the real tug of war. Our

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battleship is ready for the launching, but if her friends are not pulling hard and steady on the ropes she may never feel the water beneath her keel. In this conference sometimes the bill undergoes radical changes in the matter of concessions and counter-concessions. The debate in the House and Senate will probably show that each body is determined on some one feature of the programme which is in opposition to that advocated by the other. The House bill will generally come nearer to the Department's wishes than that framed by the Senate. The fate of the bill in the Senate is practically in the hands of the Senators in the conference. If they are doggedly stubborn, with a small and compact body behind them, they have the advantage. This, however, is not always the case. If the House committee is determined and united, or if its chairman throws his personality with great vigor into the contest, and can manage to hold the confidence of the House, the appropriation bill may fail if the Senate does not give way. These meetings between the conferrees at the close of an exciting session are at times marked by more or less personal feeling and great stubbornness on both sides. In this game the able and shrewd diplomats of the Senate may prove themselves masterful tacticians. Before our battleship emerges from this last and bitter contest she may have parted company with many of her fellows. The angry waters of the Senatorial whirlpool have absorbed them; her sister ships have been lost in the mysterious fogs of Senatorial diplomacy and finesse, or have gone down in raging armor-plate hurricanes, typhoons of personal contention, or perished in pitiless storms of economic sleet and snow, or been wrecked on the jagged rocks of the general opposition to a great naval establishment.

In the expiring hours of Congress, often in the early hours of morning, the opposition have had to let go their hold from sheer physical exhaustion, and our battleship is launched from the Congressional ways. Her total cost is fixed in the bill, and there is an appropriation made for beginning her construction. This total cost fixed at the time is often increased by subsequent bills, so that it is not always a criterion of the actual cost of a warship. Departmental deviation from the original plans, delays and other causes, may add to the total. Our battleship can now come proudly down Pennsylvania Avenue to receive the Presidential blessing in the shape of his signature to the bill. She must now

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run the gauntlet of the sharply competing shipbuilders who are looking after the interests of the various establishments. To comply with the law, proposals and specifications are carefully compiled by the Navy Department and bids are asked. Frequently, shipbuilding firms will make two offers for the same ship, one on the Department's plans, and one on plans proposed by themselves. The bidding for the first battleships was naturally confined to one or two establishments. In fact, there was practically only one capable of doing such work on the east coast. There is generally a provision, as a concession to section—if there are two battleships, say—that one shall be built on the Pacific Coast; and, in consideration of the increased cost of labor and materials there, a certain percentage is granted to Pacific builders over their eastern competitors. If the law has allowed the Department the option, there is always a pressure to build some of these ships in the navy yards, and the Congressional delegations from States having such establishments are very apt to make themselves more or less felt. The bids being received and the contracts prepared, the Department is sometimes confronted with grave questions as to their proper distribution, having in view what is best for the interests of the Government, the capacity of the establishment, its ability to do the work in a given time, and, of course, the lowness of the bid.

Our ship has crossed the great civilian seas of contention; she is now in professional waters, endangered only as to her physical characteristics by possible frictions between the builders and the Department. In about two years, while her officers and men stand at salute and the band plays "The Star Spangled Banner," the flag so dear to all of us will slowly climb its staff, and she will go into commission and become a very part of our nation, representing the august sovereignty of eighty millions of free people, as the defender of their honor, their rights and liberties; a mighty engine of militant civilization, in peace discouraging war, and in war commanding an honorable peace.

WILLIAM MCADOO.

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THE PROPOSED PAN-AMERICAN UNION.

BY PRINCE A. DE YTURBIDE.

THE press and other agencies on the northern side of the Rio Grande have conveyed to the public so much erroneous information regarding Latin-America that the average American of the United States is not to blame for being ignorant of our countries and of their affairs. Error in his premises, however, unfortunately leads to error in his conclusions as to the international relations of American countries in general and as to the proposed Pan-American Union in particular. This has been shown in many instances that have revealed the belief of our northern neighbor to be that the union of American republics should appear to us in the light in which he sees it, although this belief is not founded in any measure upon knowledge of the interests and ambitions of Latin-America, but mostly upon considerations relating to his own country which seem to render such a union desirable for it.

These reflections would be justified by numerous public statements that have been made of late years, but they are suggested now by the unfavorable comments that were heard the other day in the United States when a distinguished delegate to the Pan-American Conference made, at a banquet in the City of Mexico, some amicable reference to the countries that colonized this hemisphere—and among them, of course, to the one that discovered these continents, and is, withal, the mother country of a great majority of the states represented at the Conference. It appeared to me that a few words would not be out of place at this time, to show how certain aspects of the proposed union present themselves to the conservative judgment of Spanish-America, and it may be, indeed, to the view of impartial people in the United States. Considering the nature of the official language of the day and

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the influence of the erroneous conceptions to which I have referred, it is not astonishing that it should have become a habit, in discussing the international relations of America, to assume that the Latin countries of the New World are bound by their paramount interests to their northern neighbor, nor that it should be taken as a sign of intelligence to regard those interests as being so obvious as not to require clear definition, and their development as being the assurance of Spanish-American prosperity.

The conservative sense of Spanish-America does not indorse that hypothesis. On the contrary, it does not see, nor do I know that any one has explained, what interests Spanish-American countries have in common with any Power whatever to the exclusion of other countries with which they maintain profitable intercourse, and whose resources assist in the development of their wealth. Undoubtedly, friendship between the racial sections of America, based upon mutual understanding between the two races, and pursuing legitimate ends, would be prolific of common advantages which we certainly do not enjoy, and which for the present, at least, do not seem to be in the course of attainment. For it is improbable that the policy now being pursued toward this end could produce a condition of affairs that would be desirable from a Latin-American point of view, even if it reposed on a firmer basis than this union of American republics could be.

The interests common to Spanish-American countries are not subjects of arbitrary formulation. They are determined in part by universal conditions that no single nation controls, while they depend in a still greater measure upon our own special circumstances.

In the light of that elementary truth, it is easy to perceive what the most important interests of the Spanish-American countries are, and what foreign relations are best calculated to subserve them. However aptly this age may be defined as one of iron and gold, the fact remains that it is one of greater intellectual activity than any of which there is record—an age of transformation, too; and, whatever may be the conditions in which the world will rest for a while, our progress toward them has assumed, at the present stage, the form of commercialism, with its beneficent consequences of colonization and of moral and material improvement by the exchange of thought as well as of commodities. Universal commercialism, however, necessarily contains an element

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which, for a long time to come, will be one of danger for Latin-American countries, and will redound to their advantage or detriment according as they deal with it. This element is the rivalry of the great exporting Powers.

The special conditions characteristic of Latin-American countries are these: They possess every element of prosperity, from the intelligence of their people to the favorable geographical position and varied wealth of their territory. They are, however, the newest factors in the scheme of modern civilization, and they may not hope to fill their proper place unless they remain in close contact with all the exponents of the world's progress. They have, on the other hand, an object which no consideration of progress or of prosperity may affect; that is, the unconditional preservation of national independence and the maintenance of the body social on a high moral level.

The paramount interests of Spanish-America, therefore, demand that her external relations be essentially commercial, and that the political phases of these relations conform to that condition. It follows from this that we are bound preferably to our best customer; by which is not necessarily meant the Power in whose account with us there appears the greatest cash balance to our credit, but the one with which we may exchange products to our greatest moral and material advantage. For it is through these relations, chiefly, that we may develop the working capital on which the world will eventually pay the interest.

From all of this it follows that, if our relations with any foreign Power be opposed to any one of those national purposes, it is no longer with interests but with complications that we have to deal.

Let us now see what harmony there would be between these axiomatic truths and a Pan-American Union on the basis of Mr. Bayard's propositions.

It need scarcely be pointed out that, when the idea of a Pan-American Union was launched, the general conditions of the world and the special conditions of each American state were very different from what they are to-day, or from what any one could have predicted that they were to be. A sovereign who has filled a pre-eminent rôle in the world's politics throughout the last decade was not a factor in the calculations of that day. The Eastern question was not an active one, save in so far as England and

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Eastern Powers were concerned—there being among the latter a Power now universally recognized which was not then taken into serious account. Cuba had been a subject of speculation since 1823, but the manner in which her affairs were to influence American politics could not have been foreseen before the ratification of the treaty of Paris; and one or two other far-reaching events have taken place in Europe during the period referred to. In Spanish-America many things have occurred to transform the continent into the most hopeful quarter of the civilized world. Of these I will mention only three, the significance of which cannot possibly be exaggerated: the efficient, patriotic action of the Chilians after their revolution; the building of a world-city by the Argentine Republic; and, above all, the radical transformation that has been effected in the spirit of the Mexican people.

None of these things was counted upon, but one of the shrewdest, and perhaps the most aggressive, ministers who ever directed the foreign policy of the United States, understood better than any one else on this continent that the trend of affairs was leading to where the United States would need commercial supremacy in Latin-America. Nor is there reason to suppose that the political and the commercial domination of America by the United States furnished two distinct problems to his mind. Be this as it may, no sooner had Mr. Blaine come into power than he invited the Latin governments of the New World to meet in conference in Washington, in order to devise means of insuring the amicable settlement of differences between Latin-American states. This invitation was generally accepted, but Mr. Blaine's retirement from the Cabinet, at the end of the Garfield administration, and other obstacles chiefly of South American origin, prevented a meeting of the proposed conference. The matter continued to be agitated, however, and finally the Congress of the United States passed a bill, in accordance with which the invitation to our various governments was renewed, to consider not only the original proposition, just mentioned, but also the advisability of creating an international union which, in view of the circumstances, would be more binding than the Zollverein resorted to in the creation of the German Empire under the hegemony of Prussia, and nearly as binding as the union that constitutes the republic of the United States.

I have never heard an argument in favor of those propositions

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from the Latin-American point of view, though it is probable that many have been offered. But if any such arguments have been made to appear plausible, they must have omitted all reference to the demands of the actual situation, to the requirements of Spanish-American commerce, and especially to our brilliant prospects of national development. The Spanish-American who takes these things into account necessarily regards them as singular comments upon the altruistic form that Mr. Blaine gave to the Pan-American policy of the United States—a form which was adjusted to the only immediate results to be hoped for, or, indeed, desired, by the United States from a first Pan-American conference, namely, that such a conference by merely convening should indorse the spirit of Mr. Blaine's suggestion that the United States was looked to by the states of Latin-America as their friend and guide. Nor can it be said that the material results of that congress were otherwise representative of concerted action by these continents.

But the moral effect of the Congress of 1890 is incalculable. It created between Latin-America and the United States a solidarity which is not based upon the interests of the former; which is bolstered up by theories of indefinite, so-called "mutual interests," and in which the better thought of Spanish-America finds every political risk without any moral or commercial advantage. It put the United States in a position where, of necessity, it is a factor in the internal affairs of each Spanish-American country whose government uses Pan-American language; and, as a result, the United States is held up as a species of menace to the people by every exponent of Cæsarism in the New World. Otherwise, that conference became a barrier between the racial sections of this hemisphere, so far as a healthy, mutual feeling is concerned. All of which is distinctly at variance with the official utterances of the day; but to what extent it is justified I shall endeavor to show farther on, on the highest United States authority.

These are chiefly political considerations, however, and it is from the purely commercial standpoint that I wish to view the proposed union. I have intimated that the Bayard propositions correspond to no demands of necessity, and that their realization would fulfil no requirement of existing conditions, much less of conditions that, without such a union, may be logically predicted. All of this from the purely commercial, Spanish-American point

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of view. But is there not some advantage which Latin-America would derive from assenting to the proposed Zollverein? This question can be answered only by a statement of facts.

I have already given the reasons for the position that the foreign relations of Spanish-America should be essentially commercial, and that the political aspect of these relations should conform to that requirement; and this not merely on account of the immediate moral and material advantages to be derived from that policy, but because that policy would best promote our aspiration to become economically independent of all foreign Powers (to the extent, at least, to which several of the latter enjoy such independence), and to compete with them eventually in all lines, for we have over all of them great elementary advantages.

Now, to what extent are these advantages to be improved or those interests to be subserved by our establishing artificial relations with and in favor of a great exporting Power that has several successful competitors in our markets? Manifestly not at all, seeing that the advantages to be derived from special intercourse with that Power have abundantly asserted themselves already, have been measured by comparison with the benefits derived from intercourse with other Powers, and rated according to their value; and there can be no error in this valuation, for it has been set forth in the results of commercial operations—and commercial operations, as long as they remain untrammelled, give true conclusions with automatic precision. If, therefore, special support is to be given by us to the mercantile interests of any single Power, the Power that competes most successfully in our markets is evidently the one that should be preferred, for it is the one that has succeeded on its own merits, and in doing so has proved its capacity to serve us. It would be difficult to show that any nation, among those that have absorbed our foreign trade, fills so important a place in the scheme of our development that it should be favored by uncalled-for discrimination; but if such a customer we had, it assuredly could not be the Power that requests such discrimination in its favor, for if her commerce had been proven deserving of it she would not need it.

These considerations apply with greater force to the United States than to any other Power, because in the case of the United States every circumstance has been calculated to bring about the most favorable results in its commercial dealings with Spanish-

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America. For twenty years the United States has displayed characteristic energy in efforts to secure a preponderance in our commerce, and with every circumstantial advantage over European competitors, it has signally failed in that endeavor. The situation in Mexico especially illustrates this fact. The United States has been connected with Mexico by railways for many years; a portion of the common frontier is on navigable water, and the Gulf of Mexico affords easy communication between Mexican ports and the greatest waterway of the States. Yet the merchant who comes to Mexico from across the sea takes up a strong position among us, which so far has been threatened more by the development of our own industries than by anything else, and it is only within a few years that the United States has been our chief importing and exporting nation, the progress it has made in this sense being largely due to the increasing numbers of the American colony among us, which affects United States trade with Mexico much more than the Italian colony of the Argentine Republic affects the commerce of its mother country.

In varied degrees analogous considerations obtain in regard to the other Spanish-American States. Why has not the United States established a practical monopoly of the trade in Ecuador, Peru and Chili? Its facilities for successful competition in those countries are as great as in the territory of her nearer Latin neighbor, if not greater, yet she is not the leader in the commerce of western South America. As to the northeastern and the eastern coasts of that continent, this geographical disparity is modified, but it is far from being annulled. On the other hand, we have all participated in the conferences, diplomatic and monetary, and in the expositions, temporary and permanent, that have been held to promote our mercantile relations with the United States. Representatives have been brought from each of our several Latin-American countries to acquire personal knowledge of the United States and its resources, and finally a bureau was established at Washington, ten years ago, to further the interests of Pan-American intercourse. The result has been that the commerce of several European Powers has withstood the entire combination, while German commerce has marched ahead of it.

Of course, I have alluded only to the more important steps that have been taken to advance the mercantile interests of the United States in this hemisphere. They represent no more than

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a considerable fraction of the work that has been done in that direction by, for instance, the present Mexican government, and, in smaller proportions, by different Peruvian governments. Numerous cases of a similar nature might be cited to show, in connection with the general measures already noted, that the success of other countries in competing with the United States for our trade, in nullifying to a large extent the effect of these influences, has been due to the commercial advantages which our people have derived from intercourse with these other countries.

No one need underestimate the progress that the United States has made of late years; but the fact is almost always lost sight of in the United States that the great American republic is not the only country that has progressed, although at times candid utterances by representative men bear witness to the facts. The United States ambassador at Berlin, for instance, is reported as having made the following statement to a considerable gathering of his fellow-countrymen at a banquet on Thanksgiving Day, 1900, at the Prussian capital:

> "In any event, the Americans" (meaning the Americans of the United States) "are indebted to Germany for an opportunity to profit by these splendid facilities for the study of science and art in this country. While Great Britain is known and honored as our mother country, Germany, from an intellectual point of view, is becoming more and more our second mother country, and these intellectual influences constitute a vast force in the development of American civilization."

The authoritative word of an ambassador is not needed, of course, to call one's attention to the rôle of Germany in modern civilization. But the least that may be said of it in this case is that it acknowledges one of the circumstances that make Pan-American propositions appear in a most unfavorable light from the purely commercial, Spanish-American point of view. That this would lead us into the question of the superiority of the United States in matters of invention and of cheap construction, there is no doubt. Personally, my opinion in this connection is that the United States has no more than its due representation in the world of modern scientific discovery. Where there is an Edison, there are a Röntgen, a Tesla and a Marconi. Where Brazil solves at least one feature of the problem of aërial navigation, we find her alone, or with two European powers to some extent in her company. Where Mexico produces the Mondragon gun, we find its equal only in developments of the Mauser; where

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France produces nickel-steel, to be known in improved forms in the United States by the name of Harvey, Krupp comes with a German invention in this line fifty per cent. better than its immediate predecessor. And so on through the list of the great scientific applications; while in the abstract sciences and in the arts the United States does not claim to compete with older countries.

In the matter of cheap construction, specific facts would seem to justify the United States in its claim of superiority over all competitors. The commercial world, however, does not appear to concede that claim; because in its most successful fiscal year the United States was some distance from the head of the list as an exporter of manufactured articles, a fact which seems to indicate the world's verdict in the premises. Now, in the face of all these circumstances, we, of Latin-America, are asked to do all of our trading with the United States, and practically to close our markets to the rest of the world.

For my own part, I do not see wherein the mutual commercial interests of these two sections of America would lie, even if the facts to which I have referred were reversed. Would it be to the advantage of the United States that foundries and manufactories of all kinds should be multiplied throughout Spanish-America; that we should develop our copper industries; that we should produce all of our foodstuffs and textiles; and that we should devote a portion of our territory and of our resources to the production of tropical and other commodities, with which to take several hundred millions of dollars yearly from United States circulation? If so, the United States and we have mutual commercial interests of a special character. If it should be to the advantage of the Argentine Republic that United States wheat should flood European markets, and that canned products from the United States should do likewise, then the Argentine Republic has special motives for proclaiming a unity of interest with her northern neighbor. If there be a tropical state of America whose export trade might profit by the development of beet-sugar industries in the United States, or of whatever industries are calculated to compete with our special productions, then again our interests are one with those of the United States. In fine, if it be to our advantage that any Power among our customers should be relieved of the stimulus of competition, and that we should be deprived

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of the benefits which that competition implies for us, then Pan-America will secure that advantage for us.

This project of a union of American states is so unreasonable from the commercial Spanish-American point of view, that it has not received serious consideration from the conservative people of Spanish-American countries, a fact that is frequently ascribed to bias by publicists of the United States, but which impartial criticism attributes to more legitimate causes. I myself, prior to 1890, promoted commercial relations between my section of the State of Puebla and northern manufactories; and as a result of suggestions emanating from the Hacienda of Sesma, one machine of United States manufacture became a standard in the Mexican market. I cite this fact to show that the charge of bias does not lie against me in making the assertion that a Pan-American union, on the basis of existing proposals, would involve nothing short of dire calamity to Spanish-America, even if its political aspect were not to be considered.

Its political aspect, of course, is the serious feature of the combination. It is not my purpose to review it here, but in an earlier portion of this article I mentioned that some general statements made in this paper had the support of high United States authority. There remains space to refer but very briefly to only two of the many utterances that might be considered in this connection. First, the definition that was given at the last annual banquet of the New York Chamber of Commerce of what the Monroe Doctrine will be in the twentieth century. That doctrine was fairly flexible in the nineteenth century. Indeed, it served the President of the United States on one occasion as the sole argument on which to base his advice to Congress that the peninsula of Yucatan should be annexed to United States territory, on the ground that the white population of Yucatan was unable to protect itself against the Indians; that that situation invited British intervention; that British intervention would be contrary to the spirit of the Monroe Doctrine; and that, therefore, the United States should annex Yucatan. The Monroe Doctrine of the twentieth century, as expounded to the Chamber of Commerce, in the hearing of the Secretary of State, is not at variance with the theory to which more or less frequent expression has been given in the United States, that the mission of that country is one of conquest. Indeed, in the light of circumstances, it is as nearly

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the announcement of a mission of conquest as could be given in indirect words. The countries of Spanish-America are not afraid of being conquered; but they are averse to entangling alliances with a great Power whose people wish continually to hear that they have missions of conquest, seeing that arrangements of that kind are calculated to brew trouble under almost any circumstances.

A lecture on Spanish-America, delivered some months ago by the Hon. John W. Foster, contained the second of the two utterances we are considering. On the subject of Mexico, Mr. Foster said, practically, that if the policy of Porfirio Diaz should be seriously interfered with, it might become necessary for the United States to march an army into Mexico, because then the interests of the United States would be in jeopardy. The probability being that few of Mr. Foster's hearers had much definite information as to Mexican affairs, his suggestion may have meant no more to them than that the interests of the United States are well guarded by the present Mexican government. But when that announcement came to be heralded abroad throughout Mexico by those who are interested in the present government there, it informed the citizens of Mexico, upon the *quasi* official authority of an ex-Secretary of State of the United States, that the Diaz policy has the support of the United States—which illustrates the fact, already mentioned, that exponents of Cæsarism who use Pan-American language also use the United States as a menace to the people.

Apart from all other considerations, when every barrier of race, of language, of religion, of tradition, of habit, of thought, and even of geographical distance, stands between two peoples, a political union between them cannot be peaceably brought about in the absence of a common danger or of unusual mutual interests.

There is no danger common to the states of America, and their mutual interests are common to the civilized world.

A. DE YTURBIDE.

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IVAN TURGENEV.*

BY CHARLES WHIBLEY.

THE novelist, it has been said, will prove the historian of the future, and if this prophecy be fulfilled, a very generous interpretation of history will be necessary. For the novelist transmutes the baser metal of mechanical truth in the crucible of his own temperament, and the precious gold of one is but the tarnished alloy of another. No two men turn the same eye upon the world; each must discover for himself the relation in shape or color of this object to that, each must allow an individual experience to guide and control his observation. And even when we have acknowledged so much, we are still far from a just discernment of the truth. An author's character is best discovered in his book, and to explain a work by the character which it reveals, is merely to argue in a useless circle. For instance, Zola and Anatole France have both written chapters of contemporary history; and if the one picture be absolutely true, the other must be absolutely false. There is no common point between the quiet country-side of M. France, and the savage animalism of "*La Terre*": if M. Bergeret be the modern type, what shall be said of the ruffianly Rougons and the ineffable Macquarts? Yet a little reflection will save us from too violent a dogmatism. The portraits of Zola and France do not destroy one another; they are but partial, after all; and while M. Zola is gravely conscious of the dung that fertilizes the soil, M. France remembers also the grown corn, which the winds of July toss into waves of gold.

But if it be difficult to reconstruct the France that we know from her experiments in fiction, how shall we understand the secret, mysterious Russia from a study of her novels? Now,

* "The novels of Ivan Turgenev, translated from the Russian by Constance Garnett." London: Heinemann.

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in the generation which is dying to-day, three masters have lived and worked, who belong not only to their own time and country, but to the literature of all countries and of all time. Turgenev, Dostoievsky, Tolstoi—all three have painted the Russia of their faith and enthusiasm, but in colors so diverse, with a sentiment so contradictory, that when we have read their books, we are left with a tangle of hostile impressions. To find a formula which shall express the vision of the three is impossible. Their books are all strange to us—strange pictures of a strange land; the elemental man reveals himself at every turn under the polish of Western refinement; but he reveals himself in so dissimilar an aspect that we can do no more than put him in the common class of humanity. If Raskolnikov be a distant cousin of Bazarov, can we regard him even as a vague kinsman to Litvinov, Lepine, or Prince Andry? Impossible though it seem, we must accept in a single act of faith the high authority of Turgenev, Dostoievsky, and Tolstoi; we must believe that their pictures are the truth seen through the eyes of a various temperament, remembering that in fifty years, when the unessential differences of politics are forgotten, the work of all three may appear harmonious even to the stranger.

Meanwhile, we judge them by their opposite faculties. Tolstoi, the real Tolstoi, not the Tolstoi of a fantastic and vapid pietism, displays for our wonder the processional quality of the epic. His vast simplicity, his monumental intuition of life's essence, his large touch, his stern disregard of useless traits and superfluous character, rank him with the early masters of the world. But if he practise the art of Homer, he has illuminated that art with brilliant flashes of insight and comprehension. Human emotion has no secrets from him, and if in his supremacy he be called epic, in his sympathy he is a modern of our latest age. He creates live men and women, as easily as we cast a shadow before us. But his men and women are not shadows; they are not even portraits; they are fashioned of blood and bone, and once they are created, they seem to move and to speak of their own volition. If we saw them in the street we should recognize them; if we heard them speak, their voices would be familiar; we know them body, mind, and soul. So it is that Tolstoi stands alone, and, may be, it is not extravagant to urge that "Peace and War" is the highest achievement in the art of fiction.

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Different, indeed, are the novels of Dostoievsky, who is less concerned to sketch a character than to create an impression; and so easily does he drug his reader that, to turn one page of "A Crime and its Punishment" (for instance) is to feel a sudden poison coursing through your veins. You care not for truth or possibility; you think no more of Russia than of England. You know only that your obsession is complete and irresistible, and that peace will not be yours, until Raskolnikov's atonement be complete. A new world of sin and shame, haunted by horrific dreams and crafty spectres—this it is that Dostoievsky reveals to us. A dog, in his hands, becomes an affrighting, supernatural image. What wonder, then, that he turns the country, which his patriot soul forgave and reverenced, into a dusky melodrama, a wild, weltering delirium of death and darkness? Even his Machiavellian inspector of police, the least curious, yet not the least masterly, of his personages, deserved a better fate than to live again as the sham Vidocq of our modern stage, with sinister coat of fur and fatuously rolling eye. Yet the inspector is half an accident, and it is not his image that the name of Dostoievsky calls up; rather we remember the miscreant, who drank his wife's stockings, or the vision of the poor horse, flogged and broken till he dies.

And what place does Turgenev take in this hierarchy? Surely he is comparable to neither: he is as distant from the Olympus of Tolstoi as from the Inferno of Dostoievsky. He knows not the palatial style of the one, nor the other's faculty of horror. If there be one quality that the three share, it is the sense of something new and strange—as it were, the energy of a fresh people and a young world. As you read their works, you cannot but realize that the country which, lately conscious of itself, has already found so magnificent an expression, is reserved for high destinies and a rare triumph. The Russia of Peter was as a child learning to walk; the Russia of Catharine was an ape of Voltairean pedantry; the Russia of Turgenev is a hero, vague and incomplete, who may presently impose his ideas upon the West of his aspiration. Yet there is nothing heroic in Turgenev's method. He raises no clamor, he beats no drum. From the very first, he disliked plots and all the complications of his craft. Though he drew many a grotesque figure, many a scarecrow of officialdom and vanity, he never descends to caricature, and his

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most highly charged portraits, such as Bazarov himself, are felt and sketched to the life. There is an elegance in his arrangement, a certainty in his exposition, which convey the impression of an effortless art, yet the fatality of his stories is sufficient to assure his readers that the effort is sustained from the first page to the last. No sooner are the characters upon the stage, than the result is inevitable. But how daintily is the necessity suggested. Here is no pitiless ἀνάγκη which drives men and women to their doom—only the constraint of a reasonable fate, which cannot be avoided and which yet makes no shrill outcry to be obeyed. Thus it is that his characters are men and women, rather than types or bundles of qualities. Moving to their appointed end in a free atmosphere, they need not for credibility's sake rise above the stature of human kind. "I have always needed," said he, "some ground-work upon which I could tread firmly;" and his intimate knowledge of his own personages is but a prelude to the reader's perfect understanding of them. Tolstoi's Olympians are projected from a vast background; you can walk all round them, and see them in every pose. Your acquaintance with Turgenev's men and women is rather intellectual than visible; it seems, says Stepniak, as though he had surprised their correspondence, and let you into the secret.

So he deals with ideas, not with actions. If Bazarov be his highest achievement, he drew many a young Russian besides Bazarov; and it is significant that Bazarov, who would have changed the world, fell too soon before the master of us all. "Well, go and try to disprove death. Death will disprove you, that is all." But Rudin came before, and, may be, Rudin is more clearly characteristic of Turgenev's thought than any other of his personages. "After all, if you think of it," wrote Turgenev in "Torrents of Spring," "nothing is stronger in the world—and weaker—than a word." And it is the strength and weakness of the word that Rudin illustrates. For Rudin always has the courage to speak, and never, until the end, has the courage to *do*. Like all the Russians that Turgenev knew best, he is dominated by thoughts, he is carried away by his own oratory, and it is his friend, Lezhnyov, who best sums up him and his kind:

"It's not our business to punish him, and it's not needed; he has punished himself far more cruelly than he deserved. And God grant that unhappiness may have blotted out all the harm there was in him,

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and left only what was fine! I drink to the health of Rudin! I drink to the comrade of my best years, I drink to youth, to its hopes, its endeavors, its faith, and its purity, to all that our hearts beat for at twenty; we have known, and shall know, nothing better than that in life. . . . I drink to that golden time—to the health of Rudin!"

But Lezhnyov, in whom we may believe that Turgenev himself is speaking, loves his friend for his very lack of effect. "There was a time," he allows, "when I saw your weak side; but now, believe me, I have learnt to value you. You will not make yourself a position. And I love you, Dmitri, for that; indeed I do."

Truly, that aimlessness is admirable which is bred of sincerity and a too lofty ambition. But there is another prophet of words, whom Turgenev has sketched with a splendid precision and energy —the fool whose words correspond to no beating of the heart, to no movement of the brain. It is in "Smoke" that he pillories this impostor with the best effect, and he is, indeed, a strange animal. An apostle of revolution, he fritters away his thought in a cosmopolitan culture. He discusses Peele and Nash, whom he has not read, and is just as pleased to fall upon science as upon Gothic architecture. He loafs about Baden or Paris discussing the inapposite, and believing all the while that he is saving his country. But listen to Turgenev's own words:

"Picking up some old, cast-off shoe, dropped ages ago by St. Simon or Fourier, and sticking it on our heads, and treating it as a sacred relic—that's what we're capable of; or scribbling an article on the historical and contemporary significance of the proletariat in the principal towns of France—that we can do too!"

It is a sad aimlessness, and while Rudin died at the barricade, the cosmopolitan, you are sure, went back as speedily as Gubaryov himself to savagery and the knout.

A very different creation is Bazarov, by many esteemed the final triumph of Turgenev's art. For Bazarov is drawn with a firmer hand and a harder line than we expect in the author of his being. Nor is it so easy to appreciate him as it is to delight in Rudin or Litvinov or Sanin. Enthusiasts have carried him out of the world of art into the world of politics; they will demand worship, not appreciation. This one judges him as a real man, and believes him, though a creature of fiction, the regenerator of Russia; that other would cast a reproachful eye upon him, charging him with the destruction of the Apraksinsky shops. But

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to Turgenev he was but the child of a sympathetic brain; and it is not surprising that the novelist bitterly resented Bazarov's confusion with rebellious politics. He painted the portrait of the Nihilist, said he, "simply because he could not work otherwise"; and the genesis of "Fathers and Children" should be enough to confound those clairvoyants who detect in every line of Turgenev's an allegory of revolution. The idea of the book came into his head, so he tells us, in August, 1860, when he was taking sea-baths at Ventnor, and never was it his intention to elaborate a theory of his own. Bazarov was sketched from life, and the model was a young provincial doctor, in whom was incarnated the fresh, chaotic element of Nihilism. That is all, but it was not enough for the politicians. Either side claimed the book as a pamphlet, and, says Turgenev, "a shadow lay on my name. I don't deceive myself. I know that shadow will remain." The pessimism is hardly justified; the shadow is already passing, but Turgenev suffered the misunderstanding which overtakes all who regard life without fanaticism, and dare to treat politics as the material of an art.

What, then, is Bazarov, whose democratic significance has been grossly exaggerated? He is science, the enemy of art; he is truth, the enemy of politics. "Nature," said he, "is not a temple, but a workshop, and man's a workman in it." Thus he called love, philosophy, and all the adornments of life "romanticism." Why admire a landscape, when you might dissect a frog? Why fall in love with a beautiful woman, whose limbs suggest the anatomist's table? But, above all, Bazarov was the champion of reform, though he knew not along what path his impulse of change and fury would carry him. "There's no dash, no hate in you," said he to Arkady, "but you've the daring of youth, and the fire of youth. Your sort, you gentry, can never get beyond refined submission or refined indignation, and that's no good. You won't fight, and yet you fancy yourselves gallant chaps—but we mean to fight." Yes, Bazarov meant to fight, and his bravery would have recoiled from nothing. Yet he harbored no illusions concerning himself. In the last chapter—a masterpiece of pathos—he confesses his own impotence. "I was needed by Russia," he murmurs . . . . . "No, it's clear, I wasn't needed. And who is needed? The shoemaker's needed, the tailor's needed, the butcher . . . . gives us meat." By what perversity is it that this

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character, drawn with so fine, impartial a hand, with so profoundly conscious a sympathy, has been hailed as a caricature, a criminal, and a saviour? Truly politics are the beginning of madness, and perhaps it is impossible for those who are interested superfluously in the regeneration of Russia to understand the masterpieces of Turgenev. "The novelist," said Flaubert once, "has no right to express his opinion on anything whatever. Has *le bon Dieu* ever told us his opinion?" And in "Fathers and Children" Turgenev does not fall far below Flaubert's loftiest ideal.

But if he conceals his opinion of Bazarov's character, he set forth very clearly in a letter addressed to the Russian students at Heidelberg the artistic meaning of his hero. "I dreamed," said he, "of a sombre, savage, and great figure, only half emerged from barbarism, strong, *méchant,* and honest, and nevertheless doomed to perish because it is always in advance of the future." That is the sufficient and best explanation of the fearless critic, inspired to action, who is called Bazarov. But the controversy of thirty years ago is not yet finished, and Messrs. Stepniak and Garnett, who are responsible for the prefaces to Mrs. Garnett's new translation, have done their utmost, it seems to me, to befog their readers. They both have Young Russia on the brain; and, if we are to believe them, Turgenev kept a constant hand upon the public pulse. Mr. Stepniak, for instance, detects a movement in Lavretsky, and declares that "A House of Gentlefolk" is "a poem of the youth of the Russian democracy." Such a criticism would be mischievous, if it were not unintelligible. Again, Elena, the heroine of "On the Eve," "foreshadows and stands for the rise of Young Russia in the sixties." Why, indeed? Because her temperament prefers action to art and philosophy? Because, like many another spirited girl, who never heard of Russia or her movements, she prefers the strong man who can pitch a drunken German into the water or die for his country, to the chatter of a youthful intelligence? Once more, we confess, such criticism baffles us. Turgenev preached neither for nor against the new ideas. He was in no way responsible for the political condition of his country. Russia was the material of his art, and he treated it with a loftiness of purpose and a sincere impartiality which forbade him ever to play the part of advocate. But an unkind fate always confused his masterpieces with the

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pamphlets of reform. His incomparable "Sketches of a Sportsman," which for gentle humor and dainty portraiture he never surpassed, appear in their own despite to have suggested to Alexander II. the liberation of the Serfs, and though it is easy to understand the sympathy which such miniatures as Hoe and Kalinitch might evoke in an honest mind, though a sensitive prince might well have deplored at once the sufferings and the resignation of the peasant, Turgenev never once completes—he never initiates—an argument. And when he painted upon a larger canvas, the chatter began of Young Russia. Of this book Young Russia approved or disapproved; at that book Young Russia girded, because it was a mere love-story. But what had Young Russia, who was reading its leaflets, to do with a poet's creations? There is only one standard by which these exquisite novels may be judged, the standard of art; the men and women who wander through the delicate fields of romance, or make love in its arbors, are not so many generalized types; they are separate and individual creations, which have won the immortality denied to radicalism and all its movements.

His young girls, for instance, are miracles of truth and sentiment. Liza, Natalya, Elena, Tatyana, are drawn all with a gentle hand, and with a conviction that sometimes frightens the reader, who now and again cannot but harbor an uneasy feeling of indiscretion. Is it true, he asks himself, that he has been eavesdropping? For how else should he thus discover the secrets of the heart? Yet the perfect effect is obtained without a thought of realism. Though Turgenev worked from the model, he suggested far more than he expressed. It was not his plan to throw down all the materials for our bewildered inspection: he stripped the finished building of its scaffolds, and showed us nothing but the exquisite design of the whole. In other words, he knew nothing of realism, as the process is understood in France. And whatever characters he chose to portray, he portrayed with the same certainty of hand and vision. Irina, the ardent, hesitating lover, is as finely wrought a portrait as Elena or Liza, and she gives him a chance of solving one of his favorite problems—the contest between love and passion. And the generals in "Smoke,"—are they not as witty and as living as the students? And who ever covered the ineffective official, the bumptious trifler, with more amiable a ridicule? Even when he travels far from his accus-

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tomed haunts, he regards the strange folk that he encounters with the same intimacy, the same clarity of vision. "The Torrents of Spring," I believe, has been burdened with no allegory. Yet in interest it falls not an inch below the others. The humor of the book—a rare quality with Turgenev—does but accentuate its gentle sadness. No, it is not for his political sympathies nor for his prophetic instinct that we revere Turgenev. His calm restraint, his gay tranquillity, his reticent joy of life, his perfect adaptation of means to ends, the sureness with which his living personages move and speak under his guiding hands—these are qualities at once rarer and more lasting than the fervor of revolution and the ambition of reform.

His landscape is characteristic and appropriate. The spacious steppes, sparsely wooded, the ample gardens musical with birds, which make the backgrounds of his pictures, are suave and quiet as his own moods. Even when he carries his reader to Germany, a strange atmosphere, as of Russia the unknown, enwraps the romance; and his cosmopolitanism, unlike that of M. Bourget, is but an affair of scenic effect. The few Germans or Italians, whom he painted, do not impair an unwavering fidelity to the country of his birth. Even when the stage is foreign, the actors are (with a rare exception) Russian in soul and mind. The truth is that this cosmopolitan loved no other people than his own. Frenchmen, Germans, Englishmen—he smiled at them all, and Baden or Paris interested him, merely because in these cities he saw his countrymen in another light. So in his art he was constant to his own land, acknowledges no foreign influence in thought or style. His books are haunted by no memories that are familiar, and it is noteworthy that Aristophanes—the author whom he praised most highly—was an author from whom he seems to have learned nothing. Indeed, he placed Aristophanes above all men, because he possessed the faculty of laughter, which, said he, had only been given to two or three in the world's history. It is a curious judgment to hear from the lips of him who drew from his readers more tears than smiles; yet it is characteristic of the detached mind, which can contemplate the works of others and absorb them not. As in his writings, so in his life, he was dignified, reticent, and discreet. We know little of him, since he was not of those who courted popularity; and he would have shuddered had he lived to see the figure he cuts in M. de Goncourt's

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ragbag of gossip. But the chorus of praise sung by his friends is broken by no dissentient voice. We cannot accept Renan's eloquent rhapsody that Turgenev's conscience was "the conscience of a people," that he was what no other man has ever been, "the incarnation of a race," because we believe him to have been an artist who fashioned his masterpieces without thought of the popular conscience. But Renan's eloquent rhapsody was the expression of a sincere reverence, which is echoed in the wiser, more humane appreciation of Gustave Flaubert; and from the few sketches that have come down to us, one point is clear—he was a distinguished gentleman, as well as a distinguished writer. He knew not the loud-voiced picturesqueness which too often marks his craft; and the glimpses that we get of this "*colosse charmant, ce doux géant aux cheveux blancs, qui a l'air du bienveillant génie d'une montagne ou d'une forêt,*" make us regret that for once the biographer's voice is silent.

But if Turgenev still awaits a biographer, a worthier monument has been raised to him—the monument of translation. For me, who only know Turgenev in other tongues than his own, it is impossible to appraise the merits of Mrs. Garnett's work. I can but take it as an original work; and, surely, whether it represents the precise meaning of Turgenev or not, it is from beginning to end lucid, smooth, and workmanlike. Such achievements as this would speedily remove from us the ancient reproach of Matthew Arnold, that in England the journeywork of literature is ill-done. For you may read Mrs. Garnett's version with little sense of a foreign origin; you may admire the ease with which the narrative runs along; and sometimes you may delight in a deftly turned phrase or in the right epithet. The last volumes, may be, are not quite so quick and happy as the first. But the undertaking was no light one, and it would be surprising, indeed, if the hand and brain had kept their freshness to the end.

At last, under Mrs. Garnett's auspices, Turgenev has taken that place in England which he won long since in Germany and France.

CHARLES WHIBLEY.

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AMERICAN TRAVELLERS AND THE TREASURY DEPARTMENT.

BY F. W. WHITRIDGE.

MR. GAGE'S article in the December number of the REVIEW, on the "Customs Inspection of Baggage," is interesting, not only because it is the fullest defense or explanation of the present administration of the law which has been made, but also because it fails to consider the main reasons why that administration is objectionable. Mr. Gage begins by saying that in this land of freedom our only rule is the impartial and universal law, which should be inexorably enforced on everybody. This is unquestionable and unquestioned; but it is stated as if the same were not equally true of the other lands of freedom, which now include most of the modern world. Having laid down this principle, Mr. Gage goes on to show how it was not observed by the Treasury Department, even during the first four years of his own administration. He says that "one of the greatest evils that existed before, was the wholesale extension of the so-called 'courtesies of the port,'" and he devotes eight pages out of twelve to showing the mischief caused by the granting of such courtesies, and how much good has been accomplished by abolishing them altogether, although he says it was not until March 5th of last year that the Department issued an order abolishing the courtesies of the port, and thus entirely cut off the "old impositions." I have no doubt that "the courtesies of the port" were recklessly issued by the Department and that they were abused, but until I read Mr. Gage's article I had no idea what a disreputable set of people managed, with the connivance of men in public life, to upset the impartial and universal execution of the law. Mr. Gage rightly points with pride to the fact that since the Department has abolished privilege the Government has collected

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$655,000 instead of $152,000 in seven months alone. That is not a very large item in the revenues of the Government; it costs a good many votes and a good deal of money to collect it; but while the law is as it is, of course the duties ought to be collected.

It should be remembered, however, that the "courtesies of the port" not only protected the smuggling friends of officials, but also made up for the absence of a certain amount of common sense among those officials by furnishing a means of identification for a number of reputable people, and preventing them from being treated as if they were of doubtful character; and now that the courtesies are abolished, the Department ought either to furnish the common sense, or provide some other substitute. For it must be said that the Treasury Department's theory in administering the law is not only that everybody should be treated alike, as Mr. Gage asserts, but also that everybody should be treated as one of the worst of men, instead of one of the best. Now, the true theory, which prevails in most civilized lands, is that everybody should be treated like a gentleman, until he does something to justify his treatment as presumably a felon.

I remember two instances where the courtesies of the port were thus useful. I myself arrived in New York some years ago, with three small children, on a cold, wet day in November. As soon as possible, I went to the end of the dock to send the children with their maids to my house in the city of New York. The gatekeeper, with that rough finality which one hears in this land of freedom more often than is pleasant, waved me back, saying: "You can't leave the dock until your trunks are through." While I was attempting to reason with him, another man came up and cried out to the gatekeeper: "Garn, let him alone; de courtesies is on the desk." So my children went home, and I returned to submit my belongings to inspection. On another occasion, a gentleman living in New York, a man of the highest standing, who might fairly suppose himself to be well known, arrived at that port, and after his baggage had been examined, and the duties found to amount to a considerable sum, more than a man usually carries with him, he proposed to draw his check on a city bank in payment. The authorities declined to receive his check, and said his trunks must go to the public stores. As, however, he had the courtesies of the port, they finally agreed to accept his check if Mr. Barney Biglin, who at that time had the express

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contract with the Government, would endorse it. Now, Barney Biglin is, or was, a good man. I employed him and his brother once on a time to train a college crew, and that crew won the race. But this person might well have felt annoyed at having to ask Mr. Biglin, whom he had never employed in any capacity, to endorse his check. Now, suppose there had been no courtesies of the port in those days. My children would have caught deathly colds, my friend's baggage would have gone off to the public stores, and both of us would probably have had our tempers permanently injured.

Mr. Gage enforces his point that his order of March 5th has produced a condition with which travellers are satisfied, by a number of stories and instances as to the evils of the old system and as to the workings of the new system, which are surprising. One story about a gentleman who exposed his wife to the indignity of having her person searched on the dock ought to be mentioned, for it is not a pretty story, and it reflects no credit on the gentleman, the lady, or the Custom House. It is a singular fact that a story similar to Mr. Gage's in every detail, except that it locates the extraordinary occurrence at Dover instead of New York, has been current in England for a dozen years or more. Is it possible that it has been smuggled over from that country?

Mr. Gage's argument that the present condition of things is shown to be satisfactory by the fact that the Treasury Department does not now receive as many complaints as it received while the courtesies of the port existed, is even more surprising than his stories. There is a very different explanation of that circumstance. It is that people who used to complain have given up the Department as a bad job. The fatuous character of some of the replies written by the Department, its failure to answer many complaints at all, and the permission granted by it to a private association of second-class* retail shopkeepers to place spies on the dock in New York with every facility to overlook the examination of passengers' clothes, have convinced a large number of habitual travellers that appeals to it are perfectly hopeless. In my own acquaintance I know two people who go abroad every year, who are perfectly prepared to pay duties and to conform to any reasonable regulation, who have found the Department such

* I use the expression "second-class" in no invidious sense, but in the trade sense, as defining the credit, capital and class of goods sold by these shopkeepers.

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a nuisance that they now keep nearly a complete set of personal effects in Europe rather than be bothered as they have been bothered when they came back. So, also, a very considerable number of people no longer travel with their baggage, but send a large part of it ahead of them by express, and employ custom-house brokers to get it for them. I arrived, for instance, last spring, and the four or five largest families on the ship had all sent on their heavy baggage in that manner; and yet one lady, who happened to be the wife of a very rich man, and who had thus sent her baggage forward and actually arrived with a comparatively small amount, was kept on the dock for five and a half hours, either because the inspectors thought she had a suspiciously small amount of baggage, or, more probably, because they wanted to demonstrate the impartiality of the Department's administration of the universal law by treating a rich person considerably worse than they would have treated a poor one.

It must not be concluded, therefore, that travellers are very generally convinced of the justice of the Government's course, or that they are pleased with the administration of the customs, or that they think well of it, merely because the Department no longer receives as many protests as it used to receive. It does not receive some, at least, of those protests because the people who used to write them are satisfied that the Department and its officials are inaccessible to reason, insensible to the misery of their fellow-men, and deaf to the sound of derision.

Before leaving the subject of the courtesies of the port and the consequences of their abolition, it must be pointed out that Mr. Gage is in error when he says that the abuses he recites were cut off by the order of "March 5th of this year." As a matter of fact, the identical order which he quotes was issued on December 18th, 1898. It appears on page 999 of Volume II. of the Treasury Decisions for 1898, published at the Government Printing Office; so a good deal of Mr. Gage's argument and many of his instances must fall to the ground. It is at least possible that the increase in the collections for the seven months ending September 30th was in part at least caused by the largely increased purchases of the returning Americans in this *annus mirabilis* of our national prosperity.

Mr. Gage barely touches on the real basis of what he calls "the utterly unreasonable comments" on the Department. He says:

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"The complaint is made in some of the newspapers that a passenger is first asked to swear in his declaration to the contents of his baggage, and then, in despite of his oath, he is searched like a criminal when he is on the dock. The passenger is simply required to do what every importer of merchandise must do under the law. There is no difference between the Custom House on the dock and the regular Custom House through which merchandise is passed. In the eyes of the law they are identical. It is rather absurd, therefore, to question the procedure of examination as regards the baggage of incoming passengers, when no one has ever dreamed of questioning the same regulations when applied to the goods of an importer.

"It is true that the law, so far as the baggage is concerned, is permissive and not mandatory; and if the experience of the department had not been such as to make it necessary to enforce a search, there would not to-day be the stringent enforcement that is found at the steamship docks."

And in the beginning of his article he says: "The customs officials are simply enforcing the law as it appears on the statute books, without fear or favor." I, and those for whom I write, have no complaint to make of the law. We are law-abiding people, ready to pay whatever duties the law prescribes, nor have we much reason to complain of the manner of collecting the duties, at least at the port of New York. I have always found the officials reasonable, obliging and efficient; and I have never had any difficulty, except upon one occasion when a special agent insisted upon knowing why my family and myself had our own baggage, and did not have some other kind or quantity—but, then, he was tipsy. Nevertheless, it must be confessed that the present law—which makes personal effects, generally, dutiable and provides that no more than $100 in *value* of articles purchased abroad by residents of the United States shall be admitted free of duty—is vexatious. It certainly does not conform to the general principles laid down by Mr. Gage as to what the law ought to be, for it discriminates against American citizens who travel for a short time; and it sometimes works great hardship, as in the case of the lady all of whose things were destroyed in the siege of the legation at Pekin, and who had to pay duty on everything she had bought to come home in. The law was enacted, moreover, under a complete misapprehension of what its effect would be. The tailors who got it up persuaded Mr. Dingley that it would produce a revenue of $10,000,000 annually (he so stated in the House of Representatives), and they persuaded themselves that it would largely increase their sales—both of which notions were and are absurd.

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What reasonable people complain of is not the law, or its enforcement; it is the regulations of the Treasury Department and its decisions, and the reasons given for these decisions. I am afraid these may be numbered among the "utterly unreasonable" comments, but let the Treasury Department consider these observations:

1. The regulations for roping off part of the dock and keeping the passengers in on one side of the ropes and their friends on the other are absolutely without warrant of law. The owners of the docks might do that, but where is the statute which permits the Department to do it? This regulation has turned out to be much less important than it promised to be; and it need not be discussed, because by common consent nobody now pays any more attention to it than is convenient.

2. The regulations as to the declarations of passengers in respect to their baggage are foolish, because they call on Americans returning home to do an impossible thing. Every America-bound steamer on the Atlantic is flooded with circulars, "By order of the Secretary of the Treasury," which read:

> "It will be necessary for you to make a declaration before the United States custom officer in the saloon of this vessel, stating the number of your trunks and other packages, and their contents; and residents of the United States returning from abroad should provide a detailed list of articles purchased abroad and the prices paid therefor."

The form of affidavit American passengers are required to make says, among other things:

> "That all the articles in my baggage or on my person, purchased abroad, and their cost prices paid by me or by others who have entrusted them to me, are fully set forth and described in the annexed entry."

Either that means what it says, or it is meaningless; and I think it is obvious that to enable returning Americans to comply with that regulation and to make that affidavit truthfully, every man, woman and child of them must have had hung around his or her neck while abroad an automatic cash register, which recorded not only the amount of their purchases but a description of the articles purchased; or they must have been furnished with some equivalent device. But there are no such devices and there are no such Americans; and it is safe to say that, whatever our dispositions in the matter may be, not one person in a million *can* comply with these regulations of the Treasury Department, which

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were apparently made without any consideration of the manners and customs of the people whose conduct they undertake to regulate, and it would seem as if only the minimum of common sense was necessary to show that they should be changed.

3. The regulations requiring every piece of baggage to be opened and searched were not contemplated by the statute; and such regulations cannot be, and are not, complied with; and they are, moreover, offensive. The statutes under which these regulations were made are sections 2799, 2800, 2801 and 3064 of the United States Revised Statutes. The first three of these sections were enacted in 1799, the fourth in 1866. They are clearly permissive statutes only, a fact which the Department apparently did not discover until last summer. I think most lawyers would agree that the Department had gone beyond the intentions entertained by the legislature when these statutes were enacted, respectively 100 and 40 years ago. The exact phraseology of these regulations I do not know; but from the statements of the inspectors on the docks, their orders appear to be to open every piece of a passenger's baggage and to examine everything in it. In fact, that is not done, it cannot be done; and I do not see why it should be pretended that it is done. Take, for instance, a ship with 500 passengers. They will each have, say, five pieces of baggage, or 2,500 pieces in all, and they will have taken at least two hours each in their packing. So, altogether it will have taken the 500 passengers 1,000 hours to pack. Now, if their trunks are to be unpacked, inspected and repacked on the dock, which would be necessary if the search were a search, on an "impartial, universal and inexorable" principle, how long would it take the inspectors to do the job? Moreover, the mere attempt to make such a search after the declaration demanded by the Department's first regulation is offensive. We make our affidavits as to what we have; then the Department has us searched to see if we have committed perjury; and then we are told that we ought not to object, because we are only required to do what importers of merchandise have to do. But we are not such importers. There is ground under the statutes for considering all travellers as importers, but there is equally good ground under the statutes for making the distinction between ordinary travellers and importers which everybody on earth, outside the Treasury in Washington, knows to exist. I have said this regulation is offensive. It is;

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but there can be no argument about such a matter. It is a question of perception, like color; either a man sees it, or he is color-blind.

4. The correspondence and decisions of the Treasury Department in respect to these regulations are discreditable to the Government. No one can read them without coming to that conclusion. But to take one or two instances. A correspondence appeared in the New York *Evening Post* three years ago, from which it appeared that the regulation requiring passengers to present an inventory of their purchases abroad was pointed out to the Department as being quite impracticable; that though the statute under which it was made had been in force since 1799, nothing of the kind had ever before been required. The Department stolidly answered that the regulation had been made under the statute "in the ordinary course" of the business of the Department; and when asked how it had taken a hundred years to get round to this particular regulation, the Department was dumb. The next instance is found at page 849 of the Treasury Decisions, 899, Volume I., and is in the form of a letter from the Assistant Secretary of the Treasury to the Collector of Bangor, Maine. It says:

"You inquire first as to the right of residents of the United States to import, free of duty, personal effects to the amount of $100 in cases where they cross the border for a temporary stay of two or three days.

"In reply to your first inquiry, I have to state that the law is silent as to the length of time a resident of the United States shall stay abroad to be entitled to the privilege. . . . . Each case must be treated on its merits, and no duty levied on goods of a value of $100 or less, purchased abroad by residents of the United States, even though their stay abroad may have been of short duration, unless it shall appear that the resident went abroad for the chief purpose of *purchasing articles of wearing apparel at a less price than that at which the articles could be procured in the United States, and that it was not his or her first offense.*"

The purchase of wearing apparel abroad by an American, cheaper than he can buy at home, is in the eyes of this gentleman an offence. There has been nothing like that since a Secretary of the Treasury decided that it was unreasonable for an American citizen to have more than seven shirts; and it is almost as bad as the case which occurred last summer, in which a reputable business man living in Philadelphia, on his return to the United States, was sent to Ellis Island, with $10,000 in his pocket, as

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likely to become a public charge because he had lost an arm or hand.

5. I am informed that these regulations were promulgated by the authorities of the Department after they had consulted the officials in actual charge of the collection of duties at all or some of the principal ports, and that the advice of those practical men was entirely disregarded in framing the regulations. Be that as it may, very many of the people in the employ of the Treasury share the views I have ventured to express.

Let me add that if these observations appear "utterly unreasonable" or disrespectful, which I should regret, they are, none the less, the views of the overwhelming majority of American citizens who travel; and they are held, though not expressed, by a very large number of staunch protectionists and loyal Republicans.

F. W. WHITRIDGE.

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THE OLIGARCHY OF THE SENATE.

BY A. MAURICE LOW.

OVER the doors of the Senate of the United States might well be inscribed the motto, *"Do ut des,"* for it expresses the principle which governs the members of the Senate, especially the inner circle that really controls the Upper House of Congress, that is, in fact, the government of the United States. Bismarck translated this maxim and used it in the sense of "I give in order that you may give;" Mr. Goschen rendered it into English as "the exchange of friendly offices, based on the avowed self-interest of the parties." Whether the Bismarckian or the Goschen version be accepted, the result is the same.

The founders of the Republic, while creating all possible precautions against the usurpation of the Executive, could not altogether close their eyes to the dangers which might come from legislative assumptions. Madison wrote that the founders of the Republic "seem never to have recollected the danger from legislative usurpations, which, by assembling all power in the same hands, must lead to the same tyranny as is threatened by executive usurpations." And again: "It is against the enterprising ambition of this department [the legislative] that the people ought to indulge all their jealousy and exhaust all their precautions." Hamilton pointed this warning: "The tendency of the legislative authority to absorb every other has been fully displayed and illustrated by example in some preceding number. . . . The representatives of the people . . . often appear disposed to exert an imperious control over the other departments."

Curiously enough—curiously, that is, in the light of to-day's events—the encroachment of the House of Representatives was more feared than that of the Senate. In No. 53 of the *Federalist* this admonitory language is used:

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"A few members [of the House of Representatives], as happens in all such assemblies, will possess superior talents; will, by frequent re-elections, become members of long standing; will be thoroughly masters of the public business, and perhaps not unwilling to avail themselves of those advantages. The greater the proportion of new members, and the less the information of the bulk of the members, the more apt will they be to fall into the snares that may be laid for them. This remark is no less applicable to the relation which will subsist between the House of Representatives and the Senate."

And again, in No. 58 of the same publication, this caution against the danger of encroachment on the part of the House was addressed to the people of New York:

"Notwithstanding the equal authority which will subsist between the two houses on all legislative subjects, except the originating of money bills, it cannot be doubted that the House, composed of the greater number of members, when supported by the more powerful States, and speaking the known and determined sense of a majority of the people, will have no small advantage in a question depending on the comparative firmness of the two houses."

"But quitting the dim light of historical research," to use Madison's illuminating phrase, and studying the present situation by the broad glare of recent history, it may be asked: Has the House of Representatives passed the limits which rightfully belong to it, or has the Senate absorbed powers that, in the belief of the framers of the Constitution, are properly vested in the other co-ordinate branches of the government?

Basing the Federal Constitution on the British system, *mutatis mutandis,* the framers of the Constitution might well regard the House as having higher authority than the Senate, because it had the sole power to originate money bills. While that is technically correct, the power of the Senate over money bills is, in some respects, even greater than that of the House, since it is able to amend any bill which the House may send to it for concurrent action. This was the very thing feared by Mason, of Virginia, and pointed out by him; and the right of the Senate to originate, by the power of amendment, bills raising revenue and making appropriations has been confirmed by judicial approval. Technically, such bills have not originated, or rather have not been initiated, in the Senate. But when the Senate takes, for example, a tariff bill, strikes out all except the enacting clause, writes in and returns to the House a new bill, which that body is compelled to accept, it may be asked whether that particular law providing for the collection of revenue has not been created, that

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is to say, originated, by the Senate, in defiance of the seventh section of the first article of the Constitution, despite the permission given to the Senate to propose amendments. That which is *res adjudicata* is no longer open to question. But one may safely hazard the opinion that none of the framers of the Constitution in discussing this clause of that instrument anticipated a day when a tariff bill framed by the House would be treated with contemptuous indifference by the Senate, and a tariff bill framed by the Senate would become the law of the land. But the fact is greater than the opinion. By the power of the Senate to amend, the preponderating control supposed to have been secured to the House by endowing it with the sole right to originate money bills, has been effaced. "They, in a word, hold the purse," Hamilton said of the House; but to-day the House holds the purse while the Senate dips into it.

The Senate and the House, therefore, stand on an equal footing, so far as the control of the public purse is concerned, the House having lost the ability to coerce the Senate by withholding supplies because the Senate by "amendment" can defy the House. But the Senate always has the advantage of the House in any contest, because of the fact that it is a small and well-disciplined body, and because of the feeling of superiority which belongs to the Senatorial estate. Objections have been frequently urged against the common use of the term "Upper House" as descriptive of the Senate, on the ground that, the Senate having coordinate and not greater privileges than the House, it is a mistake to give it an appellation that would signify superior authority. Technically, it is true that there is no distinction in the delegated powers, and yet the Constitution itself makes a distinction between the membership of the two Houses, requiring that the Senator shall be possessed of the wisdom that follows from greater age, and the more thorough comprehension of the spirit of the country proceeding from longer citizenship, if of alien birth.

The legislative surrender of the House of Representatives to the Senate began with the election of Mr. Reed to the Speakership of the Fifty-first Congress. Mr. Reed found himself confronted by a state of affairs which needed a drastic remedy. It is only necessary here to refer incidentally to the practice which prevailed in the House of Representatives before Mr. Reed's election

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to the Speakership, as the conditions are too well known to the student of current parliamentary history to require more than passing mention. The rules of the House were too feeble to permit the transaction of business unless by unanimous consent or a test of endurance. The minority always had the majority at a disadvantage. It was always possible for the minority to prevent a vote being reached simply by offering dilatory motions, or by breaking a quorum; in the one case time was consumed in calling the roll, in the other nothing could be done until the sergeant-at-arms secured the attendance of a quorum, and it often required several weary hours for the sergeant-at-arms to round up his quarry. Mr. Reed, when he came to the chair, must have had very distinct, and very unpleasant, memories of the bitter contest over the Direct Tax Bill, when for twenty-six consecutive hours the doors of the chamber were kept locked because a call of the House was in progress. If the majority were to be held responsible for legislation, it was only proper that they should have power.

Mr. Reed had the courage and the ability to frame a code of rules that made it possible for the House to conduct business in an orderly and expeditious manner. How absolutely necessary his code was is shown from the fact that his Democratic successor substantially made the Reed rules his own; and, still later, when the swing of the pendulum once more placed the House in control of the Republicans, the Republican majority saw no good reason why any change should be made in the rules. A code that has stood the test of time, that could have been easily altered but was not, that has been approved by political opponents, must possess merit. Mr. Reed's parliamentary services entitle him to the highest gratitude of the country.

Unfortunately, Mr. Reed was a revolutionist; he accomplished with one bold stroke and in a few days what, under other circumstances, would only have been brought about very gradually and after long years of discussion. The danger of a revolution is that it is apt to run to extremes; that instead of moving slowly and naturally along the line of least resistance it takes a short cut to its objective point by employing cataclysmic methods.

But further, not only did Mr. Reed feel it his duty to put an end to interminable and frivolous debate, he also regarded it as incumbent upon him to check the rapidly rising tide of extrava-

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gant expenditure. Those were the days when the taunt of "a billion dollar Congress" made men turn pale. A billion dollar budget no longer affrights us.

Two important things followed from the new dispensation. One was that even vital measures were disposed of without proper consideration. When the time arrived for taking a vote the gavel fell, often in the midst of a sentence, and all debate ceased. The other was that members of the House who were unable, because of the Speaker's rigid ideas of economy, to secure appropriations in House bills, accomplished their purpose by inducing Senators to offer for them bills in the Senate in the form of amendments. Senators were not averse to doing this, as it placed Representatives under obligations to them, it increased their prestige in their States, and it added still more to the growing power of the Senate. To such an extent has the practice grown that it is now recognized, as a matter of course, that the Senate will "take care" of routine legislation to which the House is opposed or on which it is not safe to risk the chance of possible defeat in the House. Appropriations for the construction of a revenue cutter, a lighthouse tender, public buildings and other things were made by the Senate at the request of Representatives who knew the impossibility of securing favorable action by the House if the bills originated in the latter body. To preserve its own reputation for economy, the House will wink at the extravagance of the Senate. The Senate, not being so close to the people as the House, is less frightened by the charge of extravagance.

There is no way in which debate in the Senate can be abridged or terminated except by unanimous consent. The state of affairs which existed in the House prior to the election of Mr. Reed to the Speakership exists to-day in the Senate. The majority governs only by the will of the minority. It is true that it does not always suit the purpose of the minority to exercise its power, but the power is latent and not surrendered. We have seen tariff bills "amended" by the Senate so that their framers did not recognize them; we have seen a single Senator compelling a majority to come to terms with him because he threatened to make a speech which it would take six weeks to deliver; we have seen a single Senator defeat a bill carrying an appropriation of some $70,000,000—a bill passed by the House and having a majority in its favor in the Senate—because it suited his purpose so to do.

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It is because business in the Senate can only proceed by "unanimous consent" that the principle of *"Do ut des"* governs. A Senator who wants to secure an appropriation must not be too particular about some other Senator's little raid into the Treasury. Even great party measures can be brought to vote only by agreement. That is the reason why, during the course of a session, the *Congressional Record* has frequent mention of these agreements; that is why the announcement is repeatedly made that a vote will be considered as ordered on a certain bill on a definite day and hour, "if there be no objection," and no objection is ever made. A pact once made in the Senate is not broken. It is an agreement between gentlemen.

It has been shown that the Senate has equal power with the House over the control of appropriations; that it can create a tariff bill by the right of amendment; that it can prevent the enactment of any bill passed by the House; that it encourages members of the House to look for legislation in the Senate rather than in the House, where it rightfully belongs. One has never heard of Senators asking favors from Representatives.

To say that the House has been reduced to a negligible quantity in legislation would be an overstatement of the case; it is no exaggeration to say that it has become an insignificant factor. In further support of this assertion let it be said—and no greater practical proof of its correctness could be offered—that the correspondents who represent in Washington the leading newspapers of the country no longer think it necessary to consult members of the House regarding legislation; they confine their attention almost exclusively to the Senate. Time was, not many years ago, when important questions were pending, when the opinions of leaders in the House were as eagerly sought by these correspondents as were the opinions of leaders in the Senate, but to-day the mastery of the Senate is so clearly recognized that it would be a waste of time to seek for information elsewhere. When the important "Platt amendment" was under discussion last spring, scarcely a word was said, either in the newspapers or at the Capitol, about the attitude of the House. The same indifference as to the position of the House was displayed while the question was being argued whether the Philippines were to be governed by Congress or were for the time being to be left in the hands of the President.

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Legislation, therefore, in Washington is represented by the Senate. Does the Senate dominate the President?

Superficial observers are always fond of talking of the ease with which the President can control the Senate because he is the fountain head of patronage, unconsciously voicing the fear of Hamilton that "sometimes we are told that this fund of corruption is to be exhausted by the President in subduing the virtue of the Senate." Now, the fact is that the nature of the relations between the President and the Senate is very similar to the character of that *enfant terrible* of our childhood whose virtues and faults have been celebrated in rhyme:

> "When she was good, she was very, very good,
> But when she was bad she was horrid."

Precisely so with the Senate. When President and Senate are on good terms, there is no more amiable legislative body in the world; but when the relations are strained the Senate can be extremely "horrid." Even in its most agreeable mood it constantly gives the President to understand that, while he may propose, the final disposition of measures of consequence rests with it. Allusion has been made to a single Senator defeating a great appropriation bill, and a few words of explanation will not be out of place as illustrating the control which individual Senators exercise over legislation. In the closing hours of the last session of Congress, Senator Carter, of Montana, whose term expired with that Congress and who, therefore, was no longer bound by the obligations of *"Do ut des,"* began a speech against the River and Harbor bill. That bill had already been passed by the House. Mr. Carter's opposition, it was said by some, was prompted by the President, who considered that the appropriation was extravagant; Mr. Carter, it was said by others, opposed the bill because no appropriation had been made to irrigate the arid lands of his own and adjacent States. It is quite immaterial what his motive was. In the closing hours of the night before the session terminated by constitutional limitation, Mr. Carter took the floor and began a semi-serious, semi-humorous speech against the bill. His purpose soon became obvious. Senators interested in the bill fumed and fidgeted; they implored and they even threatened; but Mr. Carter was adamantine. A few minutes before twelve o'clock on the fourth of March, when the session expired, Mr. Carter gracefully yielded the floor, and the bill was decently interred.

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These same superficial observers, assuming that Mr. Carter had been instigated by the President, pointed to it as another evidence of the encroaching control of the President over legislation, forgetting that it was only another illustration of Senatorial power. If Mr. Carter could defeat a bill because it was not made up exactly in accordance with his views, why cannot Mr. Carter's successor do the same thing at this or any other session? In fact, he does not even have to exercise his power; it is quite sufficient for him to threaten to use it to gain his point. Mr. Carter has reminded his former colleagues that any Senator can shape any legislative act to accord with his ideas, provided he has the required determination.

There is no more striking example of the encroachment of the Senate than the way in which the Senate deals with appointments and its interference in the conduct of foreign relations. Hamilton dismissed as idle the suggestion that the President's nominations would be overruled, or that the Senate could coerce the President into nominating a particular individual; but Hamilton could not foresee a senatorial oligarchy. Presidential nominations have been frequently rejected; no President now dares to make a nomination unless the Senators from the State in which the nominee resides have given their approval. Fitness, merit, talents are not the conclusive consideration. A man nominated to be a Justice of the Supreme Court of the United States was rejected because he and the Senator from his State, although of the same political faith, had been opposed to each other; the nomination of a man seeking a commission as a paymaster in the army was prevented because this man had written certain things in criticism of a Senator. No nomination is too important or too unimportant to escape this scrutiny. Here again the principle of "*Do ut des*" prevails under the euphonious guise of "senatorial courtesy." A nominee personally distasteful to a Senator must be rejected, because the time may come when some other Senator will ask a similar favor at the hands of his associates.

This is mischievous and, at times, humiliating to the President; but it is seldom dangerous. The interference of the Senate in the conduct of foreign relations and its meddling with diplomatic negotiations are fraught with serious consequences. The Constitution gives the President the power "to make treaties, provided two-thirds of the Senators present concur," which has

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been interpreted by some expounders of the Constitution to mean that the Senate may ratify or reject a treaty as it sees fit, but it has not power to amend. This, however, is not the judicial interpretation, and the Supreme Court has decided (Haver *v.* Yaker, 9 Wall. 35) that the Senate is not required to adopt or reject a treaty as a whole, but may modify or amend it. But the Senate has assumed an even more advanced position. It now chooses to regard a treaty as simply "a project." In a letter which Senator Lodge wrote to the Boston *Transcript,* December 29th, 1900, in which he defended the position of the Senate, he used these words: "The Senate is part of the treaty-making power, and treaties sent to it for ratification are not strictly treaties, but projects for treaties; they are still inchoate." This statement, Mr. Lodge observes, is a "constitutional truism." It is in the sense that Mr. Lodge is simply paraphrasing the Constitution when he declares that the Senate is part of the treaty-making power, and he is absolutely correct in declaring that a treaty negotiated by the President is not a consummated compact until ratified by the Senate, but whether the Senate has not encroached upon executive prerogatives cannot be so lightly answered.

As showing the assumption of the Senate, notice the remarkable change made in the wording of a recent treaty. Last year the Senate ratified a treaty with Great Britain (The Tenure and Disposition of Real and Personal Property), providing for the disposition of real estate and giving any British colony the right to adhere to the convention on notice from the British Ambassador at Washington to the Secretary of State; and, similarly, any possessions of the United States beyond the seas were to be included in the compact upon notice "being given by the representative of the United States at London, by direction of the President." The Senate amended this to read "by direction of the treaty-making power of the United States." Thus, by the addition of a few words, the Senate assumed to itself the right to conduct foreign relations, an assumption for which no warrant can be found in the Constitution.

Presidents who were more jealous of their prerogatives than Mr. McKinley have read Congress a sharp lecture for attempting to interfere in foreign affairs. Jackson vetoed an act* because

* An "act to authorize the Secretary of the Treasury to compromise the claims allowed by the commissioners under the treaty with the King of the Two Sicilies, concluded Oct. 14, 1832."

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"in my judgment inconsistent with the division of powers in the Constitution of the United States, as it is obviously founded on the assumption that an act of Congress can give power to the Executive or to the head of one of the Departments to negotiate with a foreign government. . . . The Executive has competent authority to negotiate . . . with a foreign government—an authority Congress cannot constitutionally abridge or increase." Would Jackson have permitted the Senate to amend the Property Treaty as McKinley did? Certainly not, as we may infer from the stinging language used in the memorable "Protest" of April 15th, 1834, in which he said:

> "The resolution of the Senate presupposes a right in that body to interfere with this exercise of Executive power. If the principle be once admitted . . . the constitutional independence of the Executive Department would be as effectually destroyed and its powers as effectually transferred to the Senate as if that end had been accomplished by an amendment to the Constitution."

Grant was equally jealous that the line of demarcation between the legislative and the executive should not be overstepped. In returning to the House of Representatives a "joint resolution relating to congratulations from the Argentine Republic," which directed the Secretary of State to acknowledge a dispatch of congratulation, Grant said:

> "I cannot escape the conviction that their adoption has inadvertently involved the exercise of a power which infringes upon the constitutional rights of the Executive. . . . The Constitution of the United States, following the established usages of nations, has indicated the President as the agent to represent the national sovereignty in its intercourse with foreign powers and in all official communications from them."

After quoting from the act establishing the Department of State, Grant continued:

> "This law, which remains substantially unchanged, confirms the view that the whole correspondence of the government with and from foreign states is intrusted to the President; that the Secretary of State conducts such correspondence exclusively under the orders and instruction of the President."

Cleveland had no scruples about making Congress understand that it must not interfere with the conduct of foreign affairs, and that the recognition of an independent state was an executive act purely, and not one with which the legislative branch could concern itself.

Having advanced the doctrine that treaties negotiated by the

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President are merely "projects for treaties; they are still inchoate," the Senate has now still further encroached on the Executive by claiming to know the details of a treaty while in process of negotiation and before the treaty is submitted to it for ratification. Minos must be admitted to the secrets of Jove. That, virtually, is what the Senate compelled President McKinley and Secretary Hay to do when it so amended the Hay-Pauncefote canal treaty as to make its acceptance by the British Government impossible. Mr. Hay, instructed by the President to reopen negotiations in the endeavor to secure the assent of the British Government to a new convention, deemed it not only politic but absolutely indispensable that he should consult with leading Senators; that he should inform them of the lines on which he proposed to negotiate the new treaty, and ascertain from them if the suggested stipulations met with their approval. This he did by the direct instruction of President McKinley; not only did he advise with Senators but also with the Vice-President, who is not a member of the Senate and cannot vote on a treaty.

That "perfect *secrecy* and *immediate* dispatch" which Jay held to be "sometimes requisite" are impossible if the Senate must be consulted in advance of negotiations. Jay, who was wise enough to see that there were persons "who would rely on the secrecy of the President, but who would not confide in that of the Senate," thought that the constitutional convention had done well in providing "that although the President must, in forming them [treaties], act by the advice and consent of the Senate, yet he will be able to manage the business of intelligence in such a manner as prudence may suggest." This is antiquated doctrine. The modern doctrine makes the President merely the agent of the Senate in framing a treaty.

"The State Department in its negotiations with foreign governments has one hand tied behind its back and a ball and chain about its leg," was the remark made to the writer by a man who has had a long experience in American diplomacy. Jay voiced the fear entertained at the time of the adoption of the Constitution "that two-thirds [of the Senate] will oppress the remaining third," but to-day it is always the one-third that has the power to oppress the remaining two-thirds and the Executive as well. A treaty is always sure to meet with political opposition, the opposition, that is, of the party antagonistic to the President;

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or opposition originating in prejudice, self-interest or ignorance. As instances may be cited the defeat of the Olney-Pauncefote general treaty of arbitration (the defeat of which was caused by dislike of Mr. Cleveland and Mr. Olney, and by the general prejudice then existing against the negotiation of a treaty of that character with England); the failure to act affirmatively on the French reciprocity treaty, because it was believed it might injure certain manufacturing interests; the amendments to the Hay-Pauncefote canal treaty, inserted because certain similar amendments were found in the convention on which the new treaty was based, which were perfectly proper in the one and had no place in the other; and also because certain Senators were honest enough to say that they feared the construction of the canal would seriously injure the transcontinental railroads. Every treaty will meet with opposition from one or all of these sources, which explains the extreme difficulty of securing the ratification of a treaty in these days, and why it is so much easier for the one-third to prevent ratification than it is for the two-thirds to secure it. Lest it be said that this is a criticism of the Constitution, it may be frankly answered that it is nothing of the kind; but it is a criticism of the assumption of the Senate, and it justifies the statement that the State Department is always hampered by the ball and chain of the Senate.

The desire of the Senate to leave its impress upon all treaties is shown by trivial and absurd amendments, "the customary disfigurement at the hands of the United States Senate," to use Mr. Cleveland's vigorous language in discussing the Venezuelan settlement. Illustrative of what amounts almost to a mania, in recent years, on the part of the Senate to amend treaties, is the convention of 1896 with Great Britain for the settlement of claims arising out of the unlawful seizure by the United States of British vessels in Behring Sea. The convention as negotiated and signed by the plenipotentiaries of the contracting powers provided that "the commission may sit at San Francisco, California, as well as Victoria, provided it shall determine in any case that the interests of justice so require, due regard being had to the necessary expense and to all other considerations involved." The Senate, to make the language conform to its own ideas, changed the article to read: "The Committee shall also sit in San Francisco, California, as well as Victoria, provided that either Commissioner

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shall so request, if he shall be of the opinion that the interests of justice shall so require, for reasons to be recorded on the minutes."

In 1883, a treaty was submitted to the Senate extending the life of a previously concluded convention with France for the adjustment of claims between the two countries. Defining the practice to be observed, the negotiators used these words: "If the proceedings of the Commission shall be interrupted by the death or incapacity of any one of the Commissioners," etc., which the Senate amended to read: "If the proceedings of the Commission shall be interrupted by the death, incapacity, retirement or cessation of the functions of any one of the Commissioners," etc.

An examination made by me of original treaties in the archives of the Department of State shows that, in the early days, the Senate exercised the right of amendment very sparingly and with great discretion, but of recent years, especially during the last decade, it has exerted its power with the greatest freedom, until now the treaty that is ratified without amendment is the exception.

What enables the oligarchs of the Senate to exercise their dominant power, to reduce the House to a legislative nonentity and to keep the President in subjection, is the peculiar code of the Senate, the unwritten code which is more powerful than the printed rules. The fear expressed by Hamilton, that a few of the members of the House by long experience and a mastery of public affairs would dominate their associates, finds its realization in the Senate. An *imperium in imperio* exists there. Despite the fact that all Senators are free and equal, that one man may be able to block business, and that "government by agreement" eliminates friction, all real authority is centered in a few hands; at the present time not more than half a dozen Senators have reached censorian dignity. The *Congressional Directory* of November 27th, 1900, a recent edition, gave the biographies of eighty-five Senators, there being five vacancies at that time. Of the total number, forty-eight were then serving their first term, nineteen their second, six their third, eight their fourth, and four their fifth; but even these figures are misleading, as some of the men credited with two terms have not seen six years of service; they were appointed to fill vacancies and then elected for a full term. But taking the figures as they stand, nearly eighty per

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cent. of the Senate has served less than twelve years and twenty per cent. more.

In the Senate authority comes with length of service. A new Senator is placed at the foot of unimportant committees, no matter how long his experience in public life or his standing in the House of Representatives or elsewhere (Mr. Carlisle was one of the rare exceptions), and he can only reach a chairmanship of a leading committee by the retirement of Senators who outrank him. The system is so automatic that it is almost military in its operation. No matter how brilliant the attainments of a captain, he must bow to the superior wisdom of a colonel or a general. A Webster entering the Senate to-day would perforce sit at the foot of the table and find it futile to try and oppose the chairman; and a Webster would find himself on a committee of minor importance, while men his intellectual inferiors and his juniors in years, but his seniors in service, would be members of great committees. By this method power always centers in the hands of a few men, the half dozen or so Senators who are at the head of the few really important committees. No legislation can be enacted, no policy can be put into execution, unless these men are first consulted and give their consent. They are, in effect, the Senate of the United States.

At the beginning of this article was used one of Bismarck's favorite maxims. Perhaps it may not be inappropriate to close with the remark made by the Iron Chancellor when discussing the terms of peace with France, an observation that the Senate might remember with profit: *"La patrie veut être servie, et non pas dominée."*

A. MAURICE LOW.

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GOVERNMENT CONSTRUCTION OF RESERVOIRS IN ARID REGIONS.

BY LIEUT.-COL. H. M. CHITTENDEN, U. S. A.

LIKE many other movements of profound and far-reaching possibilities, the project for government construction of reservoirs in the arid regions has passed its infancy amid the most adverse conditions. It has constantly been thrust aside as one of the innumerable schemes for exploiting the national treasury for the promotion of local industries. But its vitality has overcome all discouragements and has won for it a place of prominence among the living issues of the country. The latest national platforms of the two great political parties expressly indorsed the project, and even if these indorsements were mere "ornamental propositions," the fact of their adoption indicates the strength which the movement has acquired; and it is important that it be thoroughly understood in the East as well as in the West if it is to receive intelligent consideration from Congress. The object of this paper is to promote an appreciation of its importance by explaining what the reservoir question is, as understood in the arid section of the United States.

The industrial growth of any country and its capacity for a high civilization depend in an eminent degree upon its agricultural development. Manufacturing and commercial interests may fluctuate, mines may become exhausted, but the progress of the seasons perpetually renews the productivity of the soil, and only the indolence of man or the perversity of government can impair this elementary source of wealth and power. The state, therefore, regards its agricultural resources with a jealous eye, and so long as these are dwarfed and stunted from natural causes it feels that it cannot reach the highest goal of prosperity and enlightenment. Of the three million square miles, more or less,

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within the territorial limits of the United States, excluding Alaska and the Islands, about 1.3 millions, or 43 per cent., are not supplied by nature with sufficient rainfall during the summer season to sustain successful agriculture. In that section of the country, extreme conditions, as regards moisture, prevail. While the rainfall is deficient, the evaporation is excessive, and with each the extreme is experienced at a time when it works the greatest injury to cultivation. The result is that, throughout an area large enough to constitute a vast empire, veritable desert conditions prevail. Yet the soil over most of this area is good, over much of it excellent; and only water is lacking to make a large part of it as fine agricultural land as the world affords.

A remedy for this great drawback has been sought in irrigation, which means the artificial distribution of the waters of streams over the cultivable lands, so as to provide the necessary moisture for vegetation during the season of growth. In order to apply this remedy to any particular section of country, certain conditions are necessary. The land must be so situated, as regards its topography, that the distribution of water upon it is physically possible, and there must be a supply of water sufficient to irrigate it. No matter how much water there may be, nor how good the soil, if the land is so broken and precipitous as to make the construction of ditches impracticable, it is lost to agriculture. And on the other hand, no matter how extensive and well favored topographically a tract may be, if the water supply is deficient, a part of it, at least, must remain undeveloped. A third condition should be added to these, viz., that the land must not lie above an altitude where agricultural products can be successfully grown, and this will generally exclude most lands of an elevation of over 7,000 feet.

A low altitude, an accessible topography and the necessary water supply are the essential natural conditions to successful irrigation. While none of these conditions can be reduced to such definite figures as to give, even with close approximation, the extent of area to which they apply, it is well established that the water supply will be the determining element. In other words, there is land enough at a favorable altitude, and well adapted to the construction of ditches, to absorb the entire available water supply. It is considered by some authorities that there is ten times as much irrigable land as there is water to irrigate it with.

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The simple statement of this ratio, without reference to actual quantities, is sufficient to show how vitally essential to the agricultural development of this vast section are the conservation and judicious use of the water that flows in its streams. If we estimate the total annual supply of water, in that portion of the arid regions which is capable of irrigation, at 4,646 billions of cubic feet, or 107 millions of acre feet,* and assume that 1½ acre feet will irrigate an acre of ground for one season, the existing water supply is capable of sustaining agriculture on about seventy million acres. A possible maximum of one hundred million acres is claimed by some. On the basis of the density of population in the more highly cultivated sections of Europe, this area, under successful irrigation, will maintain as great a population as that of the entire United States in 1900.

It must not be supposed that the quantity of water stated above is available for irrigation by taking it directly from the streams in their natural condition. The regimen of flow in most streams is highly unfavorable to the economical use of their waters. Much of the water passes off in the seasons when agriculture is suspended. Other portions, the greater part, in fact, flow away in the period of the spring floods, and in such large volume as to be mostly wasted. In certain sections of the country, nearly all the rainfall occurs in the winter season and is lost; in others, the flow of the streams is spasmodic and irregular, produced by violent and sudden storms of short duration, and no dependence can be placed upon it. Nowhere does the water supply correspond to the demand for irrigation; but, generally, maximum supply meets minimum demand and minimum supply maximum demand with exasperating regularity.

Engineers variously estimate the proportion of stream flow that can be drawn directly from the streams and used in irrigation. It is determined by the amount which the stream affords when the supply, as compared with the demand, is the smallest. It is useless to take a large amount of water from a stream at a high stage and irrigate an extensive tract of land which cannot be supplied at a lower stage. The proportion of the flow that can be utilized directly varies widely with climate, locality and crops. In some places, it is as low as ten per cent.; in a few,

* This is equivalent to a depth of two inches over one million of square miles. The annual run-off from the Missouri watershed above Kansas City, based upon twelve years' observation, is 1.98 inches. The acre-foot is an amount of water which will cover an acre to the depth of one foot.

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higher than fifty. It is probable that, taking the country over, not more than twenty-five to thirty per cent. of the stream flow is capable of direct utilization, and the irrigable area dependent upon it is limited in like proportion.

To utilize the two-thirds or three-fourths that go to waste, requires that a portion of it shall be stored and held until the occasion for its use arises. It is not necessary to store all in order that all may be used. If a certain amount is stored, to be used at the period of greatest deficiency, say in August, it becomes possible to draw considerably more directly from the stream in periods of excess, say in June, than could be drawn without this auxiliary supply for August. In general, it will be found that, for every cubic foot of water stored, nearly, if not quite, another cubic foot will be made available directly from the stream, so that storage will really count more than, possibly twice as much as, the amount actually stored.

Considering the fact that a portion of the flow of some streams can never be used at all, because they lie in such deep cañons or valleys that the water cannot be diverted upon the neighboring lands, it will be safe to assume that a storage equal to one-fourth of the entire run-off of the arid regions, as above computed, say 1,162 billions of cubic feet, will render available practically all of the water supply which can be used in irrigation. The value of this stored water, under a wise and conservative development of the system, will be very great. Considering that each acre-foot stored will make available probably two acre-feet, and that the value of water for irrigation, now ranging from fifty cents to three dollars per acre-foot per year, and in favored localities much higher, will certainly increase with time, it will not be extravagant to estimate the future annual value of this storage at two dollars per acre-foot, or $46,000 per billion of cubic feet. This would give the annual value of the total as $53,452,000, with the certainty of a constant increase.

Such, in briefest statement, is the reservoir problem of the arid section of the United States. It contains the possibility of a mighty empire in a region which nature has overspread with almost universal desolation. Is this problem one that can be successfully handled, and, if so, by what means?

As to the physical aspect of the problem, it may be a matter of doubt if reservoir sites, capable of an aggregate storage of

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eleven hundred billions of cubic feet of water, can be found where they will at the same time be available for an irrigation supply. These sites exist in all manner of places. The open valley sites are mostly among the mountains and require high and powerful dams. Lake sites, so called because they occupy natural lakes, are also generally well up on the courses of the streams. They constitute the most advantageous situations for reservoirs that nature affords. Then, far below the mountains, scattered among the foothills and well out upon the plains, there are natural depressions of varying magnitude which require only feeding canals and the necessary outlets to make them the most perfect and the safest of reservoirs. This last class of sites must be considered a wise provision of nature, for they are located ordinarily far enough down to gather in the supply which must always be lost to reservoirs among the mountains. Time will give to these natural basins a value in this connection which as yet is very imperfectly appreciated. On the whole, it is probable that the necessary sites can be found. Personal observation, covering a considerable portion of the central West, leads the writer to believe that a storage system can be constructed which, combined with a properly planned system of distributing works, will absorb most of the waters that now go to waste. Should this prove not to be the case, it will simply mean that the scope of the reservoir system and the cost of its construction will be less than here estimated. There is scarcely any probability that the future expansion of the system will exceed the estimate above given.

Concerning the cost of the work, it is clearly a difficult matter to give a precise estimate. It may be said, however, on the basis of existing works in the western country, that six dollars per acre-foot, or $138,000 per billion cubic feet, ought to cover the original cost of storage, if the work is done with reasonable system and economy. The cost of storing eleven hundred and sixty-two billion cubic feet of water will thus be in the neighborhood of $160,000,000. This seems like an enormous sum to put into reservoirs, or any other form of public work, and it is so, if considered as a matter of the present moment. But this estimate is for a completed reservoir system—a matter, not of to-day or to-morrow, but of the distant future. The storage of water will proceed *pari passu* with the extension of irrigation, and the storage system will be complete only when the irrigation system

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is complete. How long this will be, no one can foretell, but certainly not less than a hundred years. Thus the annual burden would be but one and a half to two millions of dollars, and the benefits from the work of the first few years would more than repay the cost of all that will follow.

A complete and comprehensive reservoir system throughout the arid section of the West being indispensable to the ultimate development of that section, and in all probability capable of realization, the question arises, by what agency can the work be best accomplished? As between the two broad divisions of public and private agencies, the question is not difficult to answer. Neither private individuals nor corporations can ever be relied upon to do this work as it should be done. In the first place, their resources will not ordinarily be sufficient. In the second, the immediate purpose for which a company or individual might build a reservoir will very rarely be such as to develop the full capacity of the site. When enough storage is secured to satisfy the purposes of the investment, nothing further will be done. Now, it is of the utmost importance, when the development of a reservoir site is commenced, that it be planned to secure the full capacity of the site, and that it be built in the most substantial manner. A defective work once located on an important site will be a perpetual bar to the construction of a suitable work.

Moreover, the government can profitably and properly undertake works of this character which would be ruinous to an individual. It is an erroneous idea that no public work is justifiable unless there can be collected from it a direct, tangible and profitable revenue, such as a private party would require. The public does not derive its return in the same manner as do private investors. In the case of a reservoir, for example, an individual or company will ordinarily build for a specific purpose, such as furnishing the water supply for a city, providing power to turn mills, storing water for the irrigation of land, and the like. Seldom, if ever, can all the uses to which stored water may be put be controlled by any company, and a portion of its benefits will always escape every effort to derive a revenue from them. But to the public, which builds these works from the revenues derived from general taxation, and looks for a return, not in the form of cash revenue, but in the general increase of wealth to the community resulting from these works, every use to which

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the water is put is a source of gain. The public is, therefore, in a position, as regards such works, which no individual or company can ever occupy, and the legitimate benefits accruing to it from identically the same work must necessarily be greater than can be realized by a private party.

Again, the government does not build alone for to-day or to-morrow, as an individual or company must do. No private investment can wait very long for an ample return. But with the government, whose life is presumed to be vastly longer than that of any company or individual, this is not the case. Far more important than immediate return is the character of the work constructed. It is better to build in the best possible way and wait a while for the return, than to build in a less thorough manner in order to derive an immediate return.

There are other considerations tending to the same general conclusion, that an adequate reservoir system in the arid regions cannot be realized except through the agency of government. Accepting this conclusion, the further question arises, through what form of governmental agency, state or federal, can this best be done? Without entering in detail into this subject, a few of its more salient features may be referred to.

Reservoir construction, as a public work, is essentially interstate in character. Very few of the streams of the arid regions, except on the Pacific coast, are confined to the limits of one State. As a rule, they pass through several States. The many streams that rise in Wyoming, for example, flow through or along the borders of some twenty other States and Territories. There are very few reservoirs of magnitude that could be built whose influence would not cross State lines and be felt in other States than those where the works are located. There are numerous sites near State boundaries where the waters from the reservoirs which might be built would flow immediately into the neighboring States and yield no benefit whatever to those in which they are located. In fact, the interstate character of these streams is certainly destined to raise questions in the near future which only federal authority can determine.

Again, if a comprehensive system of reservoirs is ever built in the West, its influence upon the floods and low water of some of our navigable streams will be a matter of public importance of which an individual State could take no cognizance.

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In the matter of cost, the present resources of the States absolutely preclude most of them from undertaking works of this character. In some, the revenues are limited by their constitutions to a fixed percentage of the valuation, and there is no obvious way of creating a fund for such work.

It must not be forgotten, either, that the government is the principal land owner in the West. In some of the States nearly ninety per cent. of the land is still public. The storage of water by which more of this land may be reclaimed and settled is a simple business measure on the part of the government for enhancing the value of its own property.

There is an economic principle involved in this question which still more clearly indicates that the general government is the proper agency for the execution of these important works. Who shall own the waters of our streams, the general government, or individuals and corporations? The answer to this vital question must be forthcoming in the near future, not alone in those regions where the rainfall is deficient, but in those where it is abundant. The people of New York State have only recently extricated themselves from a dangerous situation, into which they had unwittingly fallen by giving away to a private corporation the control of the unused waters of the State. In the West, property in running water has long been recognized. By virtue of priority of appropriation, the waters of many of the streams have been converted into a commodity which the owners sell as they would cattle, grain or lumber. There is some color of reason in this where the appropriator has gone to expense in order to deliver the water to his neighbor; for he is then, in some degree at least, receiving pay for services rendered. Nevertheless, the system is inherently vicious, as is any system which gives to private agencies a monopoly of the resources of nature. The water of the streams should be the property of the public and should never be used for speculative purposes. Priority of appropriation should give the appropriator control of only so much water as he actually uses. If this is less than he is entitled to take from the stream, he should be required to let the surplus flow on where it can be beneficially used. Construction of reservoirs by private agencies is inseparable from speculative ownership of the water stored, and this cannot be effectually prevented unless the work is done by the government.

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Closely related to this question is that of the future disposition of the public lands of the West. Very few appreciate what an opportunity exists, in the public ownership of so vast a portion of the national domain, for instituting a land policy which shall avoid the evils of the existing system. Monopoly of land is a monopoly of the opportunities of nature, and is being recognized more and more as one of the evils of our social system which remain to be corrected. The public domain of the West should be forever excluded from monopolistic control or speculative ownership, yet held open to secure occupation for all legitimate purposes of improvement or use. The land and the water should remain inviolate as the common heritage of the people.

It is now in order to examine some of the objections which are interposed against the policy of public patronage of these great works. It is urged by some that this would mean government control of irrigation works as such, with the dreaded ramifications and the unseen lengths to which such a policy might lead. If this were so, it would indeed be a powerful argument against the whole project. But there is no reason why government assistance in the one case should in any way obligate it to assist in the other. The reservoir is essentially a public work, interstate in character, its influence affecting a variety of objects. The irrigating ditch is essentially a local concern, not in the ordinary case crossing State lines. One work pertains exclusively to the stream, the other mainly to the lands. It is in every way better that distribution systems, water laws, etc., should be under the sole jurisdiction of the States, which occupy a position in regard to these works similar to that filled by the central government in other countries, as Canada, France and England. The States have demonstrated their entire capacity to handle these matters. A corps of trained engineers has grown up throughout the West, qualified in every sense to deal with all questions pertaining to irrigation. Certainly, it would be a great mistake to think of turning over works of this character to the general government at the present time, if ever.

But in the matter of storing water, as in that of preserving forests, the function is so clearly interstate in character, and the cost of the best kind of work is so great, that the general government is of necessity the proper agency to execute it. But let its function be limited to this object. Let it reinforce and extend

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the resources of nature and preserve them to the general use, but let that use be regulated by the same authority as at present.

It may be suggested that this is impracticable and that it will lead to clashing of authority. There is no reason why it should. Let the government, in improving a site, acquire full right, title and jurisdiction thereto. Let it build, own, maintain and operate the work itself, but let the stored water, after it leaves the reservoir, be absolutely free to the public, just as the works on rivers and harbors are free without toll or levy of any kind. The irrigator who wishes to take out a ditch from the streams below will go to the State Engineer and file his application just as he does now, and he will use his rights under the same regulations. The only difference will be that there will be more water available than there was before the reservoir was built.

Only two qualifications need be made to this statement: First, that the government should always reserve such control that it can at any time close the reservoir in case the prevention of floods* or other public emergency should require it; and, second, that the waters so stored shall be for the free use of the people and never be subject to speculative ownership.

A common argument against government construction of reservoirs in the arid regions is that it is in direct aid of private enterprise and, therefore, contrary to the spirit of our institutions. It is the policy of our government not to undertake works which can, consistently with the general welfare, be done by private agencies, nor to expend the public moneys in any work which benefits mainly or directly a private party only. So far as the

* To prevent any misconception as to the relation of reservoirs to flood protection, or any inference from this paper that the flood problem of great rivers, like the Mississippi, can be solved in this way, it may be well to state here that such flood prevention, as a motive for the construction of reservoirs, must always occupy a secondary place. From a superficial survey of the subject, it would indeed seem that in the building of reservoirs ought to be found the solution of many problems in river engineering which arise from a deficiency or excess of flow. Nature affords many examples of the effective moderating influence of reservoirs upon stream flow. The Great Lakes are an example, giving an almost uniform flow in the outlets where, in ordinary conditions, the high-water flow would be thirty times the low-water flow. Less striking examples abound over the surface of the globe. But when it comes to imitating these natural works by artificial ones, the obstacles are practically insurmountable. Very few sites of like magnitude exist, and if they did the land would be worth more in a cultivated state than the water which might be stored upon it would be in preventing floods. While, therefore, it is true that a reservoir is a perfect protection against floods for some distance in the immediate valley below, and while a great system of reservoirs might have some influence on the floods of the larger streams, as the Missouri, still these benefits will never be of sufficient importance, taken alone, to justify the construction of reservoirs. But when there exist other and more direct reasons, such as irrigation, which in themselves would warrant their construction, then the influence upon floods may very properly be given consideration as a secondary motive.

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works here considered fall within this definition, they would certainly not be justifiable under our system of government. We have endeavored to show, however, that a comprehensive scheme for the conservation of stream flow is in the strictest sense a public measure; that it relates to communities rather than to individuals; is interstate in character; affects in some degree navigable water courses; and cannot, consistently with the public welfare, be intrusted to private agencies.

Finally, government construction of reservoirs in the arid regions is opposed by the Eastern farmer on the ground that under such a policy he would be taxed in the interest of competitors in his own line of business. Of all the plausible economic fallacies that find lodgement in the public mind, this has perhaps the feeblest foundation. It is like that other argument, which one hears nearly every day, that the invention of machinery restricts the field of labor. Although it has been proven, over and over again, that mechanical invention, by increasing wealth, has made possible the employment of labor on a scale that would be utterly impossible without it, still the advent of every new machine is condemned in many quarters as a new invasion of the rights of labor. So in the case here considered. The permanent establishment in the western country of a large and vigorous population would stimulate markets of all kinds in the East far more than it would depress any by reason of competition. Its agricultural products would be largely consumed at home, and it is absurd to talk of their entering the markets of the world in competition with products of the central West, where nature has lavished her favors in a fertile soil and generous climate beyond almost any other portion of the globe. If, perchance, certain products can be raised on these irrigated lands of better quality than elsewhere, is not the country as a whole the gainer by having them raised there? Does any one believe it would promote the general welfare to drive from the markets the fruits of Southern California, or the potatoes and melons of Colorado? It is one of the chief advantages of this great nation, where no custom houses restrict the free interchange of commodities between the States, that every community can enjoy what is best in every other community, and the whole country works together with a maximum of economy in promoting the public good. The agricultural interests of the East, and the narrow and provincial statesmanship

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which occasionally echoes their contention in this matter, should stand on higher ground. The upbuilding of the West will promote rather than injure their prosperity.

It remains to consider the duty of the government in regard to these works as a part of its policy of internal improvements. As public buildings, military posts, etc., are built exclusively for the transaction of public affairs, works upon rivers and harbors are the only important example of internal improvements which directly affect common business interests. These works began early in the history of the government and were justified on the ground that they were in aid of interstate commerce and, therefore, properly subject to federal control. Water transportation in those days was a matter of transcendent importance. Rivers were the great highways of internal commerce, and these were extended and connected by artificial waterways. It was an era of canal building and river improvement. The policy of federal aid in these works and the assumption of federal control of nearly all the navigable waters of the country became thoroughly established. Then came the railroad and with it a complete revolution in transportation methods. The old canals lost their importance and most of them were eventually abandoned. Commerce gradually left the rivers, and many a stream which was once the theatre of a prosperous traffic has not seen a commercial boat for years. The Great Lakes alone, of internal waterways, have maintained and increased their commercial importance.

But while this change has been going on, the policy of devoting public money to internal improvements has been kept up in increasing measure; and, strange to say, on the same old lines without any attempt to adapt it to changed conditions. In theory, these works are still carried on in the interests of navigation only. In practice, however, they have, to some extent, been forced into sensible conformity with actual business conditions. The protection of the bottom lands of the Mississippi against floods, and those of the Missouri against the ravages of that stream, has absorbed a large part of the appropriations for these streams in recent years. The utilization of the splendid natural facilities for storing water at the sources of the Mississippi, whereby a perpetual benefit has been conferred upon the country in upbuilding the industrial and manufacturing interests of that section, has likewise become a part of the scheme of in-

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ternal improvements. These are public works of great importance, but the singular thing about them is that they are all carried out under the old theory of aid to navigation. This is not only a singular fact, but an astounding instance of the persistence of fictions in legislation long after the reality has ceased to exist. In reporting to the House of Representatives the Rivers and Harbors Bill at the last session of Congress, the committee having the bill in charge took occasion to animadvert severely upon the fact that a large portion of the appropriations for the Missouri River in recent years has gone to the protection of the property along the banks, instead of the improvement of the river for purposes of navigation. Yet the works of protection are of far greater public utility than those for improving the channel of the river. The navigation of the Missouri, wonderful as it was in its day, is dead beyond the slightest hope of resurrection. But during the process of its decay the fertile bottom lands have become farms and gardens among the richest in the world. The river in its reckless career plays havoc with these lands, and every year destroys property by the thousands. There is no power that can properly protect these lands but the general government, for the protective works invariably extend beyond the property lines of the individual, and often beyond the jurisdiction of the town, city or State in which the property lies. There is no duty of the government more deeply grounded in justice than that of protecting property holders from the ravages of this public watercourse. And yet, if any member of Congress were to ask for an appropriation for this specific purpose, his request would be summarily rejected, although, more likely than not, he will get the money if he pretends that it is for navigation.

Such a situation is discreditable to the intelligence of the country, and so long as it continues the Rivers and Harbors Bill ought to fail. If there is to be a system of internal improvements, it should stand on a business basis and keep in touch with the progress of the country. Where navigation has ceased, but other equally important demands for public expenditures have arisen in their place, these should receive consideration upon their merits. It is from this point of view that the people of the West regard the reservoir problem. They ask for nothing unreasonable. They support those measures which are building the great canals and harbors along the seacoast and the Great

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Lakes, and they expect the country to support them in building equally important works which shall help make a garden of the desert and replace its languishing settlements with a prosperous population.

The first public work upon which the writer was ever engaged was the improvement of the upper Missouri River near the head of navigation at Fort Benton, Montana. The professional problems involved were interesting and practicable; but whatever satisfaction might justly attach to their successful solution was wholly neutralized by the reflection that the work was utterly useless. It is doubtful if from that day to this, eleven years, half a dozen commercial steamboats have passed over this section of the river. In an article which the writer prepared at the time, upon the history of navigation on the Missouri River, he made the following reference to this matter:

"To see this great volume of water flowing down to the ocean while a rich prairie soil is parching in a rainless climate makes one wish that the government, instead of spending its money to contract and deepen the channel, would rather try to scatter its water upon the adjoining lands. By a strange misapplication of terms, streams are often said to *water* the valleys through which they flow, as if the exact opposite were not generally the case. But what greater boon could be conferred upon the Missouri valley than to make this misapplied expression a true one, even to the extent of draining the last drop from the river bed? * * * The question of thus utilizing the forces of nature may never, for many years certainly will not, receive serious attention. The river will flow on, undisturbed by the State, except that from year to year a few dams and dikes and shore protections will be built, a few gravel bars dredged away, and a few snags removed, all to make way for a commerce which, in sufficient magnitude to justify government appropriations, exists only in the imagination. But the dwellers of the valley being periodically pacified by these paltry pittances from the public purse, the paramount problem of making the river build up that country and convert those arid and barren wastes into productive farm lands will go on unsolved. Yet who can doubt that this is the true office of the mighty stream to the valley through which it flows?"

This opinion, somewhat exuberantly expressed, as to the proper objects for river expenditures in the Western States, the writer has yet seen no reason to change, unless it be to restrict the field of expenditure specifically to reservoirs, or to those great canals which may yet be built to distribute over vast areas the waters of the larger streams.

H. M. CHITTENDEN.

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WAGNER, MINNA AND COSIMA.

BY GUSTAV KOBBÉ, AUTHOR OF "WAGNER'S LIFE AND WORKS," ETC.

WAGNER, Minna and Cosima; and—poor Minna! Thrown into the shade by the bright luminary that succeeded you, how many are there who realize that for nearly a quarter of a century you tried to smooth the pathway of one of the greatest and most contrary geniuses that ever lived, sharing exile, poverty and privation; slaving for him uncomplainingly; striving to create little oases of cheer in the desert of despondency; only to die unhonored and unsung and, I am tempted to add, almost unpitied?

"She was a good wife, but she did not appreciate his genius." That disposes of Minna—pretty Wilhelmine Planer, the Magdeburg actress who gave up her stage career to become Wagner's wife; who loved him and drudged for him, wearing away her youth and her beauty; and who, when after years of poverty he had become a *protégé* of a king and the favored of fortune, died separated from him, another woman having taken her place.

Yet what a wonderful part in his life that other woman played. She seems to have entered it under a decree of fate. Her father, Franz Liszt, had made championship of Wagner's art, when Wagner was still quite unknown, an almost sacred mission; and the objective point of her wedding trip with her first husband, Hans von Bülow, was Wagner's house in Zurich. Had they never met, two souls would have lived on, yearning for the unknown. But they met; and the rest is history.

When I was in Bayreuth at the production of "Parsifal" in 1882, this woman moved through the bustle and excitement attending the festival like a queen. A glance sufficed to show that she was Liszt's daughter. She was his image. Often I looked at her and thought of her remarkable career—the daughter of a great musician and of a beautiful, aristocratic and accomplished French-

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woman; the wife, first of a great pianist and then of the greatest musical genius the world has known, helping him to his triumph and sharing it. For those who are in a position to know say that without her tact Bayreuth would have remained an unfulfilled dream. That, since Wagner's death, Frau Cosima has been Bayreuth is a self-evident proposition.

But, though grateful to the kind fate that led Cosima to cross Wagner's path, one cannot help pitying the woman whose sad destiny it was to share only his unsuccessful years. There is ample evidence of how well she fulfilled her duties *up to* the point of following his genius in its daring flights, but, alas for her, not *beyond*.

It was in November, 1836, that Wagner married Fräulein Wilhelmina Planer, the leading actress of the Magdeburg company. Her father was a spindle maker. It is said that her desire to earn money for the household, rather than the impetus of a well-defined histrionic gift, led her to go on the stage; but, once on the stage, she discovered that she had unquestionable talent, and played leading characters in tragedy and comedy with success.

Minna is described as handsome, but not strikingly so; of medium height and slim figure, with "soft, gazelle-like eyes which were a faithful index of a tender heart." She was quiet in speech and movement, yet quick to anticipate any wish, almost complying with it before it was expressed. Her nature was the very opposite of Wagner's. Where he was passionate, strong-willed and ambitious, she was gentle, affectionate and retiring. Where he yearned for conquest, she wanted only a well-regulated home. But she could not follow him in his art theories, and as his genius assumed more definite shape she became less and less able to comprehend it. It was almost a sealed book to her.

Doubtless, the ill success of "The Flying Dutchman" and "Tannhäuser," works which, after "Rienzi," puzzled people, engendered her first misunderstanding of Wagner's genius. Some may be surprised that this lack of appreciation did not bring about a separation sooner, instead of after nearly a quarter of a century of married life. But when a man is struggling with poverty, the woman who unobtrusively aids him in bearing it is regarded by him as an angel of light, and the question as to whether she appreciates his genius or not becomes a secondary one in the struggle for existence.

But when at last success comes, as it did in Wagner's case,

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when there is time for companionship, there is also opportunity for an estimate of intellectual quality. Then it is that the man of genius discovers that the woman who has stood by him through his poverty lacks the graces of mind necessary to his complete happiness, and the self-sacrificing wife who has been his drudge, in order that he might the better meet want, and who has perhaps lost her youth and her looks in his service, is forgotten for some one else. The worst of it is that the world forgets her and all she has done for the great man in her quiet, uncomplaining way. The drudge never finds a page in the "Loves of the Poets." The woman who comes in and reaps where the other has sown, does.

During a hard struggle which lasted many years, Minna's homely love was all Wagner's; and this in spite of the fact that, although Wagner appreciated her and even loved her, he loved his art better, making—fortunately for the world, perhaps—sacrifices for it which kept him in a continual state of semi-poverty. The real secret of the unhappy lives often led by wives of men of genius is this: The wife of a genius must always admit a rival—her husband's art. The struggles, the poverty, which result from his devotion to it, she must be prepared to bear without a murmur. She must be ready, when they need bread, to see him deliberately turn his back on the means of securing it, because those means are unworthy of his genius. No woman should enter marriage with her eyes as wide open as she who becomes the wife of a man of genius. Yet how few women, wedding such men, know what is before them; and how many are there who are not doomed to disillusion?

Wagner's friend, Ferdinand Praeger, has much to say of Minna's fine qualities. But he also tells several anecdotes which completely illustrate how absolutely she failed to comprehend Wagner's genius and ambition. Praeger visited them in their "trimly kept Swiss chalet" in Zurich in the summer of 1856. One day when Praeger and Minna were seated at the luncheon table waiting for Wagner, who was scoring the "Nibelung," to come down from his study, she asked: "Now, honestly, is Richard really such a great genius?" Remember that this question was asked about the composer of "Rienzi," "Flying Dutchman," "Tannhäuser" and "Lohengrin." If she was unable to discover his genius in these, how could she be expected to follow its loftier flights in his later works?

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On another occasion, when Wagner was complaining that the public did not understand him, she said: "Well, Richard, why don't you write something for the gallery?" So little did she understand the man whose genius was founded upon unswerving devotion to artistic truth, and who would sooner have gone to the grave unknown than have dishonored himself by catering to the public.

During Praeger's visit, an old Magdeburg singer and her two daughters called on Wagner. They sang the music of the Rhine-daughters from "Rheingold." When they finished singing, Minna asked Praeger: "Is it really as beautiful as you say? It does not seem so to me, and I'm afraid it would not sound so to others."

Wagner was not slow to discover her inability to understand him, but "her good qualities and domestic virtues" greatly endeared her to him. Her economy in itself was most invaluable, as a brake on such thoughtless extravagance as Wagner was apt to indulge in if left to himself. There are numerous examples of her devotion to him.

During their sojourn in Paris, from 1839 to 1842, they often had to face actual want. At these crises, Minna always tried to help her husband to the best of her ability. Once, when it seemed utterly impossible to him to procure even the amount necessary for their daily food, he suggested to Minna to pawn her few trinkets. Only then did he learn that she had already done so, and that, in fact, they had been living for some time on the proceeds. While making such sacrifices she did everything she could to curtail the expenses, hiding from her husband as much of the discomfort of their poor home as possible. She cleaned house, stood at the wash-tub, did the mending and cooking, willingly and cheerfully. She was a little heroine, and well might Wagner in after years speak of her sacrifices at this time, as he is said to have done, with tears in his eyes.

Wagner was always sensitive regarding his personal appearance; and during these years of poverty in Paris his wardrobe had become sadly in need of replenishing. Yet money wherewith to do this was lacking. Before his birthday came around in May, 1840, Minna, in order to give him special pleasure on that day, hunted through Paris until she found a small German tailor who, moved by her persuasiveness, made a suit of clothes in time for Wagner's birthday, agreeing to wait for payment until a more

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favorable opportunity. To Wagner's credit be it said that, however much in later years her lack of appreciation for his genius may have estranged him from her, he never, even after their separation, hesitated to acknowledge her devotion to him during the most trying periods of his life.

There is another pretty birthday episode which shows Minna's forethought for her husband. Wagner was in London, filling his engagement with the Philharmonic, on his birthday in 1855. We have seen with what touching devotion, fifteen years earlier, Minna had managed in the midst of their poverty in Paris to procure for him a new suit of clothes for a birthday present. During his London engagement she remained in Zurich; but she timed her birthday letter so carefully that he received it on the very morning; and in it she apprised him that she had despatched a birthday present for him—a dressing gown of violet velvet, lined with satin of the same color, and a biretta to match. Wagner was delighted, the gift being just after his own heart. Minna also knew her husband's fondness for animals, and her birthday letter gave him information about Peps, the dog, and about the parrot which had been taught to repeat, *"Richard Wagner, du bist ein grosser mann!"* If poor Minna herself could not appreciate her husband's genius, she was at least determined that some member of the household should appear to.

July saw Wagner back in Zurich again, and although it was May, only two months before, that Minna had presented him with a new dressing gown, she had another waiting for him when he reached home. Moreover, she had made for him what Wagner in a letter to Praeger describes as "wonderfully fine silk trousers for home wear, so that all the work I do is to loll about in this costume first on one sofa and then on another."

There is no doubt that during a long period of their married life Wagner fully appreciated Minna's homely virtues, and that her devotion deeply touched him. He was attentive to her in many ways, and he appears to have done all he could to make her happy—except that he would not swerve from his artistic ideals to provide the individual comforts of life. A heart trouble, from which she suffered, caused him great anxiety. "Her ever-increasing ill health makes me very sad," he wrote to Praeger in September, 1855. "Worried and troubled, I resume work. I struggle at it, as work is the only power that brings to me oblivion."

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As illustrating the pleasant relations which existed between Wagner and his wife in 1856, Praeger relates that, during his visit, if Minna was not about at the early rising hour, Wagner would go to the piano and play first softly, then with curious harmonies, "full orchestral effects as it were, 'Get up, get up, thou Merry Swiss Boy.'"

But as Minna's heart trouble increased, she began to fret over their uncertain material condition. The fact is that she had been tried beyond her strength, and, not sharing her husband's enormous confidence in his artistic powers, she had not the stimulus of faith in his ultimate success to sustain her. Wagner himself once summed up her side of the case when he exclaimed: "Poor woman, who was called upon to get along with a monster of a genius!" Her irritability resulting from her illness was accentuated by jealousy of several of the women who, as Wagner's genius became better known, entered the growing circle of his ardent admirers.

And so the last years of their married life were stormy, until the crisis came in 1861, when they separated, Minna retiring to Dresden, where she died in 1866. Wagner contributed to her support and always acknowledged the debt of gratitude he owed her, but—"my inspiration carried me into a sphere she could not follow, and the exuberance of my heated enthusiasm was met with a cold douche." Nevertheless he expressed the belief that everything might have been arranged between them. "It would have been better had it been so. Now there is a dark void, and my misery is deep." This was just before the message from the King of Bavaria, which formed the turning point in his career, reached him. But even after he was installed in luxury, he had "no one to realize and enjoy with me this limitless comfort."

An incidental tribute to Minna's worth came from a wholly unexpected source twenty years after her death, and several years after Wagner's, when there were published the memoirs of Count von Beust, Saxon Prime Minister, who was in office when Wagner was banished from Saxony for taking part in the revolution of 1849. Many years later, when Wagner had been pardoned, he called on von Beust, who in his memoirs gives a highly interesting account of the interview. The Prime Minister had known Minna, and, although the interview in no way referred to her, he goes out of his way to speak of her as "an excellent woman."

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In a letter written by Wagner in June, 1864, there occurs this significant sentence: "There is one good being who brightens my household." The "good being" was Cosima Liszt von Bülow, who, from now on, was destined to fill his life with the sunshine of love and of devotion to his art.

"Since I last saw you in Munich," writes Wagner to a friend, "I have not again left my asylum, which, in the meanwhile, has also become the refuge of her who was destined to prove that I could well be helped, and that the axiom of my many friends, that I 'could not be helped,' was false! She knew that I could be helped, and has helped me: she has defied every disapprobation and taken upon herself every condemnation."

This was written in June, 1870, a year after the birth of their son, Siegfried. In August, 1870, the following announcement was sent out:

"We have the honor to announce our marriage, which took place on the 25th of August of this year in the Protestant Church in Lucerne.

Richard Wagner.
Cosima Wagner, *née* Liszt."

August 25, 1870.

In the following November Wagner wrote to Praeger: "Often do I think of you because of your love for children. My house, too, is full of children, the children of my wife. [These were the daughters of von Bülow.] But, besides, there blooms for me a splendid son, strong and beautiful, whom I dare call Siegfried Richard Wagner. Now think what I must feel that this at last has fallen to my share. I am fifty-seven years old." There is a volume of pathos in that last sentence. He had waited so long for the joy which at last was his.

This extraordinary woman, who brought Wagner so much happiness and as to whom it may be said that none ever played so important a part in the history of music, came to her many graces and accomplishments by right of birth. She was the daughter of Liszt and the Countess d'Agoult, a French author, better known under her pen name of "Daniel Stern."

The Countess's father, Viscount Flavigny, was an old Royalist nobleman. While an *émigré* during the Revolution, he had married the beautiful daughter of the Frankfort banker, Bethman. After the Flavignys returned to France, their daughter, an extremely beautiful blonde, was brought up partly at the Flavigny château, partly at the Sacré Cœur de Marie, in Paris. Talented beyond her years, her wit and beauty won her much admiration.

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At an early age she married Count Charles d'Agoult, a French officer, a member of the old aristocracy and twenty years her senior.

When she first met Liszt she was twenty-nine years old, had been married six years and was the mother of three children. She was still beautiful, and in her salon she gathered around her men and women of rank, *esprit* and fame. In 1835 Liszt left Paris after the concert season there. The Countess followed him, and the next heard of them they were in Switzerland. They remained together six years, Cosima, born in 1837, being one of the three children resulting from the union. In the Countess's relations with Liszt there appears to have been a curious mingling of *la grande passion* and hauteur. For when, soon after she had joined him in Switzerland, he urged her to secure a divorce in order that they might marry, she drew herself up and replied: *"Madame la Comtesse d'Agoult ne sera jamais Madame Liszt!"* Certainly none but a French woman would have been capable of such a reply under the same circumstances. Equally French was her husband's remark when, the Countess's support having been assumed by Liszt, he expressed the opinion that throughout the whole affair the pianist had behaved like a man of honor.

After the separation of Liszt and Countess d'Agoult, he entrusted the care of the three children to his mother. During a brief sojourn in Paris, Wagner met Cosima, then a girl of sixteen, for the first time. She formed with Liszt, von Bülow, Berlioz and a few others the very small, but extremely select, audience which, at the house of Liszt's mother, heard Wagner read from the last of his "Nibelung" dramas. In 1855, the burden of the care of the children falling too heavily upon Liszt's mother, the duty of looking after the daughters was cheerfully undertaken by the mother of Hans von Bülow, who resided in Berlin. The girls were highly talented.

In a letter written by von Bülow in June, 1856, he speaks of them in these interesting terms: "These wonderful girls bear their name with right—full of talent, cleverness and life, they are interesting personalities, such as I have rarely met. Another than I would be happy in their companionship. But their evident superiority annoys me, and the impossibility to appear sufficiently interesting to them prevents my appreciating the pleasure of their society as much as I would like to—there you have a confession,

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the candor of which you will not deny. It is not very flattering for a young man, but it is absolutely true." Yet, a year later, he married one of these girls whose "superiority" so annoyed him.

Was it fate which led the von Bülows on their wedding trip to Wagner? For, from a letter to his friend, Richard Pohl, which von Bülow wrote the day before his wedding to Cosima Liszt, the "Wagnerstadt," Zurich, is mentioned as the aim of their journey.

They arrived at Zurich early in September. "For the last fortnight," writes von Bülow, under date of September 19, 1857, "I and my wife have been living in Wagner's house, and I do not know anything else that could have afforded me such benefit, such refreshment as being together with this wonderful, unique man, whom one should worship as a god."

On his side Wagner was charmed with the von Bülows. In one of his letters he speaks of their visit as his most delightful experience of the summer. "They spent three weeks in our little house; I have rarely been so pleasantly and delightfully affected as by their informal visit. In the mornings they had to keep quiet, for I was writing my 'Tristan,' of which I read them an act aloud every week. If you knew Cosima, you would agree with me when I conclude that this young pair is wonderfully well mated. With all their great intelligence and real artistic sympathy, there is something so light and buoyant in the two young people that one was obliged to feel perfectly at home with them."

Wagner allowed them to depart only under promise that they would return next year, which they did, to find a household on the verge of disruption and to be unwilling witnesses to some of the closing scenes of Wagner's first marriage.

When the von Bülows came to visit him again, after he had separated from his wife and was living in Biebrich, opposite Mayence, engaged in the composition of "Die Meistersinger," he was not so favorably impressed with their marriage. In a letter, after speaking of von Bülow's depression owing to poor health, he writes: "Add to this a tragic marriage; a young woman of extraordinary, quite unprecedented, endowment, Liszt's wonderful image, but of superior intellect."

That this woman, who so impressed Wagner, was in her turn filled with admiration for his gifts, appears from two letters which she wrote from Biebrich to her father. In one of these she speaks enthusiastically of some of the "Tristan" music, which she had

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heard Wagner rehearsing with the tenor Schnorr and the latter's wife. The other letter concerns "Die Meistersinger":

"The 'Meistersinger' are to Wagner's other conceptions what the 'Winter's Tale' is to Shakespeare's other works. Its fantasy is found in gayety and drollery, and it has called up the Nuremberg of the Middle Ages with its guilds, its poet-artisans, its pedants, its cavaliers, to draw forth the freshest laughter in the midst of the highest, the most ideal poetry." It is evident that two such artistically sympathetic souls could not long remain in each other's proximity without craving a closer union.

The history of art has no more beautiful union between kindred souls to chronicle than this. One who had ample opportunity to observe their everyday life says that Wagner adored Cosima and that she worshipped him. "All his wishes were anticipated with an ingenuity known only to the unselfish love of woman. To her he could impart all his plans, talk over his projects, knowing that they would be appreciated."

Since death, early in 1883, sundered this happy union, she has devoted herself to the continuance of the Bayreuth festival plays. Her grief when Wagner died was profound, and one act of hers over his coffin was as beautiful and touching as it was, I believe, unique. She cut off her long hair, which her husband had loved to have her wear loose over her shoulder, and placed it under his head as a cushion to be buried with him.

No one who realizes what Wagner is in the world of music can fail in a sense of gratitude to Cosima for the happiness with which she surrounded him during the latter part of his life. Yet, through it all, it is impossible not to see at times the tragic figure of the woman to whom pitiless fate assigned the lot of being his companion in those long, dark years of ill success. And so, when we speak of Wagner, Minna and Cosima, we involuntarily add, "Poor Minna!"

GUSTAV KOBBÉ.

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WHY NOT OWN THE PANAMA ISTHMUS?

BY FREDERIC C. PENFIELD, FORMERLY UNITED STATES DIPLOMATIC AGENT AND CONSUL-GENERAL TO EGYPT.

For half a century the Nicaraguan was the only isthmian canal route believed to be available by the United States. Foreigners controlled the Panama route. Hence generations of Americans have been reared under the influence of Nicaraguan preference, and it was inevitable that a national prejudice should obtain against the project of our rival in Central-American canal construction.

Popular opinion within the past few weeks has been undergoing rapid readjustment, however; and the French company, aware that its undertaking could not survive the competition of a governmental waterway—that in time might be thrown open to free navigation, as rivers and harbors are—has offered us its franchise, rights, and the partially dug canal at Panama for the sum our governmental commission reported these to be worth to us, $40,000,000; and the commission has made a supplemental report to the government, in view of the reasonableness of the offer, favoring the adoption of the Panama route. The Colombian authorities assure us that they will gladly transfer to the United States all the privileges possessed by the French. These radical changes should mean that our government will build at Panama. Piercing the isthmus at its narrowest point, the engineering advantages of this route have long been obvious; and it is the estimate of the Walker Commission that, possessed of the French concession and of the work completed by the French company, at a cost to us of $40,000,000, we could construct a canal at Panama for $38,130,704 less than by way of Nicaragua.

Any one taking the trouble to compare the rival routes dispassionately, must decide in favor of Panama. Nature has pro-

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vided there a good harbor on either side of the isthmus; the Panama canal could be maintained for $1,350,000 per annum less than the Nicaraguan, the Walker Commission informs us—an amount equivalent to three-per-cent. interest on $45,000,000; a ship could steam from ocean to ocean *viâ* Panama by the light of one day, as against thirty-three hours by the Nicaraguan route; and Panama would be a shorter route between our Atlantic and Gulf ports and the west coast of South America, which is, admittedly, a fruitful field for the development of commerce with the United States.

The chief claim of partisans of the Nicaraguan route is that their canal would bring our Atlantic and Pacific ports one day nearer each other than the Panama canal possibly could. These advocates array figures showing how much time ships bound from New York or New Orleans to San Francisco would save by using the Nicaraguan canal; but they fail to mention the important advantage that Panama would offer to American vessels trading with Callao, Valparaiso, and other South-American ports. In its commercial aspect the object of an interoceanic canal built by the United States must surely be the bringing to us of new and foreign markets, not the acceleration of intercourse between harbors on our own two ocean coasts. Four perfect systems of transcontinental railroads, more or less in competition, leave nothing to be desired in the matter of serving domestic trade. It is foreign trade we should bid for. Ships from Asiatic ports would reach the Atlantic by way of Panama as quickly as by Nicaragua, assuredly. Navigators are slow to accept as a fact the claim that the Nicaraguan canal could be traversed in thirty-three consecutive hours; and few owners of deep-draught ships, bearing valuable cargoes, would risk their property by steaming at night in a canal leading over mountain ranges, with sharp curves everywhere, as well as numerous locks. Three days' canal insurance of vessel and cargo would offset any possible profit accruing from the use of such a canal.

The United States should build no such waterway. The Panama route, allowing for its faults, is ten-fold more feasible than the Nicaraguan.

The words "hard up" cannot adequately suggest the present financial condition of the republic of Colombia. Twenty-six months of revolution have reduced the country to worse straits

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than curse any other land in this hemisphere. A traveller may pass weeks there without seeing a coin of gold, silver, or copper; and if he brings away any of the "emergency" paper dollars, it will be to illustrate the poverty of Colombia, through unrestricted inflation; for the dollar *(peso)* will be found to have an exchange value of but two cents.

Colombia cannot hope to raise more money by bond issues, by the granting of concessions, or by pledging taxes and customs receipts. She will consequently be compelled to sell something, and she will not be overparticular what that something may be.

In no country, however wretched, can a proposal of territorial alienation meet a popular reception. Such a proposition would doubtless be scouted at Bogota, and statesmen there would be chary of committing themselves to it. But a people impoverished by a prolonged rebellion, and with an empty treasury, cannot be expected to resist the inevitable.

At our capital, Colombia is represented by her ablest diplomatist, Señor Don Martinez Silva, as astute a negotiator as the present generation of South Americans has known. However startling the suggestion might at first appear, Minister Silva is too practical not to consider at this time a proposal by the United States Government to purchase for an equitable sum Colombia's sovereignty to the so-called State of Panama. Absolute ownership of the soil should be a prerequisite to America's building of a canal. We should not construct public works of any character in territory that we cannot govern untrammelled. As "tenants" of Colombia or Nicaragua, we would be obliged to pay a considerable sum each year.

We could afford to pay Colombia outright all that her rights in the isthmian territory are worth, and there should be no more disposition to drive a sharp bargain with her than with the thousands of countrymen of Lafayette and Rochambeau who are now proffering us their privileges and property at Panama at a figure more than reasonable. This country has no need for profiting by the necessities of any person or nation. A canal is going to be a costly enterprise. Let us go about it in a practical manner.

Public discussion, if logical and earnest, never retards wise public action, and national policies must have their origin in individual minds. I modestly suggest, therefore, that every con-

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dition is favorable for the United States taking a step in practical expansion that would leave its impress for all time upon the scroll of great achievements—the purchase outright of the State of Panama, worth comparatively little to Colombia, but of inestimable value to a powerful nation constructing a waterway to unite the Atlantic and Pacific. A potentially important word might well be incorporated in the popular slogan, and we should aspire to *own,* as well as to construct and control, an isthmian canal.

We could not buy territory of Nicaragua if we tried, for her constitution expressly forbids the alienation of soil. She has signed a protocol to give us a long-time lease of the region through which a canal might pass; but there is a mighty distinction between proprietorship and lesseeship. The proposal to assign us permanent jurisdiction of a six-mile strip is meant to be generous. But the policing by this government of a "zone" of this character could have but one outcome, perpetual and vexatious argument with Nicaragua as to boundaries and the right to execute laws of our making. Better a "zone" six yards wide, or none at all.

The people of Panama have no affection for their home government, and would acclaim the coming of American authority. A plebiscite would be practically unanimous. Colombian currency is disavowed in Panama, and postage-stamps used in every other State of Colombia have there no value. More than once petitions have been circulated on the isthmus memorializing the Washington authorities to annex the region, while for years it has been the habit of isthmian families to shun the name of Colombians, preferring to be called "Panamaans."

It is twelve days' journey from Bogota, the seat of government, to Panama. Remoteness from the capital may furnish a reason for the popular belief throughout the State that it is poorly governed, that its destinies are controlled by men who have no sympathy with the Panama people, and who grind from them, under the guise of taxes, all the reward coming from their various industries, agriculture, mines, and fisheries. The fact that our government is pledged by treaty to preserve order on the isthmus, and recently sent armed forces there, should greatly assist a movement at this time looking to the ownership of Panama by the United States.

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This strip of territory joining North America with South America is not without value, if regarded from other points of view than canal-building. Its resources are varied, ranging from mines to pearl-fisheries, and most of these are but partially developed. Three-fourths of the capital invested in the State is American. With our rule the isthmus might be made to pay its way, independently of the canal.

Could any one object to the transference of Panama to this government? No one. Would not every government in the list of nations indorse a movement which would give to the isthmus an administration that would secure property and life and equal rights to every dweller there and to every user of the canal? It would, certainly. From no source came a note of disapproval over our reported negotiations for the Danish West Indies.

Under our proprietorship, marauding at Panama, whether it were a colony like Porto Rico or a territory like Hawaii, would be as unlikely as in Philadelphia.

Secretary Hay's achievement in causing the abrogation of the Clayton-Bulwer treaty with Great Britain stamped him as a great Secretary of State. But as a triumph of diplomacy that achievement would become insignificant compared with the acquisition of Panama by the United States. Public sentiment is favorable to expansion, and the extension of our territory by judicious purchase could have only the moral approval of every patriotic citizen not committed to the Nicaraguan project. President Roosevelt's policy is a constructive one, and such an enlargement of the national map under his incumbency would make his administration memorable.

There must be, in any case, important negotiations between the Department of State and Colombia, as the period for which the French company's concession is to run — ninety-nine years —is too brief to satisfy any responsible government venturing upon canal construction. The United States must insist upon a franchise and control practically perpetual, obviously. Negotiating for the franchise of Panama outright would in every way be simpler, but time might be required to bring it to a successful conclusion. Haste in adopting any terms for the building of a canal not based upon the ownership of the soil through which the canal will run, will saddle upon posterity a condition more unfortunate than if there were no canal at all.

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Diplomacy of the Hay type can do more towards making a canal a lasting success than the efforts of all the civil engineers in the country. The Suez Canal was a triumph of financial resources, as well as of engineering genius. Let America's canal be founded upon America's practical diplomacy.

With the Stars and Stripes destined to float over half the West-Indian islands, as in time it will, the ownership of the natural gateway between two oceans should be vested in the nation which has power enough to cause the Monroe Doctrine to be recognized throughout the wide world as valid law. Great Britain, France, and Holland reap no pecuniary benefit from their possessions in the Bahamas and the Windward Islands, and in time many of these will naturally come under the control of the United States. We have never purchased a foot of soil but it has turned out that we made a fortunate venture. Bleak Alaska, costing $7,000.-000, could be sold to-day for many times that sum.

The greatest material success of Disraeli's career was his action in buying Ismail's shares in the Suez Canal company. With Continental agents at Cairo ready to purchase the discredited Khedive's shares on the following day, Disraeli, without the formal sanction of his government, stepped in one night and captured the securities by cable for $4,000,000. England has ever since controlled the canal, and her shares have now a market value of £20,000,000. It will be recalled that nearly every public man in Great Britain, Disraeli included, opposed the building by the French of the Suez Canal, pooh-poohing the suggestion that it was demanded by commerce, or that it could ever be made to pay. Since Disraeli's day British statesmanship has woven around the country through which the Suez waterway runs a control amounting to colonial rule. Had not the canal of de Lesseps developed into a convenient short-cut for Europe to Britain's richest treasure-house, India, England would never have gone to Egypt with her civil servants and her army of occupation.

FREDERIC COURTLAND PENFIELD.

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THE MILITIA FORCE OF THE UNITED STATES.

BY J. D. WHELPLEY.

THE Secretary of War recently completed his allotment of one million dollars to the militia of the United States and Territories. Under the present law, this is the amount allowed to the States each year from the national treasury, and it is distributed according to the representation in Congress and upon a certificate from each State testifying to the existence in it of a State military organization. The law of 1887 appropriated $400,000 a year for this purpose; but in 1900 Congress increased the amount to be distributed annually to $1,000,000. There is a well-established precedent, therefore, for the support of State militia organizations by the federal government, and it has never been questioned.

Military experts are fully convinced that the maintenance of a national militia is one of the proper functions of this government, and that Congress has made a mistake in the past in not assuming the organization, control, and expense of the volunteer army in times of peace. The power to do this was granted to Congress by the Constitution, but this power has never been exercised, the present small contributions to the expense of equipment in each State being the nearest approach to federal interference.

Paragraph 16 of Section 8 of Article 1 of the Constitution of the United States defines one of the powers vested in Congress to be:

"To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress."

In this paragraph Congress is distinctly given the power to organize a national militia, equip the same, and appropriate all

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necessary money to carry on the work, without a dollar being contributed by the individual States for the support of their respective military organizations. Congress is also authorized thereby to make such rules and regulations for the conduct of this militia as may be deemed advisable.

Throughout the country, and in Congress as representing the entire population, can be found two distinct schools of thought in regard to the proper treatment of the State militia by the federal government. The difference between the two schools is fundamental; and the theory of one or the other must be adopted by a decided majority of the people before any general plan for a national militia organization can be presented. One school takes the position that the militia force of the United States should become entirely a matter of federal concern, that it should be organized, equipped, trained and supported from the national treasury and under national direction, with the purpose of creating a great army of the people, which, in times of peace, should not be in evidence to a burdensome degree, but which, in time of war, could be quickly mobilized and sent to the defence of the frontier and the coast, thus allowing an interval of safety during which the regular army could be expanded or a volunteer army organized for war purposes.

The other school opposes the idea of national control of the State militia. These people believe that the question of States' rights is involved, and that the matter of local military organizations should be left entirely to local authorities—these authorities possibly to be assisted financially to a small degree by federal appropriations, in view of the fact that the training received by the troops is expected to redound in time to the benefit of the entire nation. The theory adopted by this school is, that the militia should never be looked upon as anything more than a training-school, from which can be drawn by volunteer measures as many soldiers as may be needed to create an emergency army.

The wide difference between these two schools of thought makes it necessary that the sense of the people, and incidentally that of Congress, should be ascertained before any work can be done towards formulating new legislation. Immediately after the Spanish war, there was a decided public sentiment in favor of taking the organization of the militia out of the hands of State gov-

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ernments. While some of the States had kept their national guard up to the standard, and were able to turn over to the general government well-equipped and well-drilled military organizations of great strength, other States were found to be wofully deficient in their resources. Several unfortunate controversies between State and federal authorities originated from the status occupied by the militia in 1898, which status still remains in effect. As the recollection of the war and of these difficulties with the volunteer organizations fade from the public mind, the demand for reform loses much of its acuteness; and many members of Congress now go so far as to predict that it is impossible at present to secure new legislation on the subject, despite the apparently unanimous demand of two years ago that such reform should be immediate and drastic.

It is interesting to compare the condition of the militia before and since the war with Spain. In 1896 there were 9,376 commissioned officers and 106,251 non-commissioned officers and privates, or a total of 115,627. In 1899, immediately after the signing of the treaty of peace, this force was apparently reduced to 7,521 commissioned officers, and 98,818 non-commissioned officers and privates, or a total of 106,339. In 1900 the militia force had increased to 8,246 commissioned officers, and 105,721 non-commissioned officers and privates, or a total of 113,967. The total number of generals and general staff officers was 1,162, 804, and 806 for the three years respectively.

All the States now have a smaller militia force than in 1896, with the exception of Michigan, which shows an increase of 700 men. Fifteen of the States have about held their own during the past two years, or show a slight decrease. Twenty-four of the States show an increase over 1899. The States showing the greatest gain in the past two years are Indiana, Iowa, Virginia, and Ohio.

It was freely predicted at the close of the war with Spain that in the future much greater interest would be taken in military affairs by the young men of the country, and that this would result in a heavier enlistment in local military organizations. This presumption is not justified by the present condition of the militia. It is undoubtedly true that the decrease in the militia force noted in 1899 was due to the enlistment of many men for Philippine and other service. A large number of such

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enlistments were from the class which took an interest in military affairs, and from which the ranks of the militia have always been recruited. The slight gain made by the militia in 1900, as compared with 1899, would apparently prove this to be true; but the fact that the militia is not at present recruited up to the strength of five years ago, when there was no war spirit abroad in the country, is a matter of considerable comment among military men. It cannot be assumed that there are more men in the regular army at the present time who, if not so engaged, would become militiamen, than would be sufficient to bring the total militia force up to the strength of 1896.

This condition should allay the fears expressed by politicians that the war spirit is becoming rampant with the younger generation of American citizens. The local military organization is evidently no more popular to-day than it has been for years past, notwithstanding the experiences in the Spanish war. A decided check to militia enlistment was also given by the unfortunate complications, dissensions and disputes which arose during the organization of the American volunteer army for use in our most recent war. In short, the experience of many of the volunteers who went to the front as members of State regiments was not such as to encourage further service or to create enthusiasm for recruiting. This is especially true in New York, Missouri, and one or two other prominent States.

In the war with Spain, however, the State military organizations had wide recognition. Of the 9,376 officers in the State troops, nearly 7,000 received volunteer commissions. The military schools furnished 275 officers, the governors of States gave 250 commissions, 750 militia officers were commissioned by the President, and only about 650 were commissioned who had never served with the State troops.

The record of New York State is as creditable as that of any State in the Union, if not more so. At the outbreak of the Spanish war there were 800,000 men liable to military duty in New York, and the authorized strength of the militia was 18,000. On April 20th, 1898, the actual organized militia strength in New York State was 13,990 men, and the annual appropriation by the State was $575,000, as against the federal appropriation of but $31,000. New York promptly added $1,500,000 to this for war purposes, and furnished 20,418 men to the volun-

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teer army of the United States. Of these men 11,100 were from the National Guard. Of the officers of the fifteen regiments, two troops of cavalry and three batteries, when organized for national service, less than ten per cent. had not served in the State militia.

The federal government now contributes $1,000,000 each year to be distributed among the States according to their representation in Congress, so soon as each State shall prove that it has at least 100 enlisted men for each representative. In the year 1900 the total appropriation made by all the States for militia purposes was a little less than $5,000,000. This appropriation, however, so far as the States were concerned, was not at all uniform—as, for instance, in California, where the federal appropriation was less than $8,000 and the State appropriation about $155,000. In Kentucky, the federal appropriation was nearly $12,000, and the State appropriation only $7,000. State appropriations are governed by public sentiment and politics, local conditions thus interfering with any uniformity so far as the country as a whole is concerned. An appropriation of ten million dollars annually from the national treasury would give each State a respectable allowance, and provide for an effective reserve military force for the nation. The various departments of the regular army would furnish the drill-masters and equipment, and by thus nationalizing the institutions add largely to the effectiveness of the appropriations.

Those who have given much time to the study of reserve military organizations throughout the world, and especially to the incongruities and inconsistencies of the organization now in vogue in the United States, are unanimously in favor of radical legislation upon the subject, as soon as Congress can be convinced that the people will endorse such legislation. They propose that the entire burden of the expense of the State troops and their training be put upon the federal government, thus relieving the local authorities of the responsibility. It is pointed out that under this plan every tax-payer would contribute in proportion to the cost, uniformity of discipline would be secured, and extensive plans could be made for the training of troops in divisions as well as by regiments or brigades. Under such a plan preparation could be made for war in time of peace, not only in the direction of fitting men for the service, but in securing uni-

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form equipment and supplies in sufficient quantity to be available upon short notice. The effect would not be to create a great army subject to direct federal and possibly political control, as is feared by some; but it would simply make the present militia force more effective and valuable, not only to the country but to the individual citizen. The limitations of the Constitution effectually safeguard the use of this force; and, as the basis of all military service in the United States is the volunteering of the individual, the people as represented by Congress would forever jealously resent any encroachment upon this idea. For over one hundred years Congress has held the power to nationalize and support the militia forces, but has failed to exercise this power except by making a trifling appropriation during the past three or four years.

It was evidently the intention of the founders of this government that the home defence should be organized and controlled by Congress, and not by the individual States, as is now the case. Legislation to that effect will be proposed this winter in Washington. It will meet with strong opposition from those who cling to the now nearly obsolete doctrine of States' rights, and by those who, for political reasons, desire to hamper all effort to improve the public service. The principle underlying the suggestion, however, is practical, scientific, and democratic, and will control in time the organization and maintenance of the great reserve military forces of the United States.

J. D. WHELPLEY.

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THE NATIONAL DEBT OF JAPAN.

BY YASUFUMI SAWAKI, SECRETARY OF THE FINANCE DEPARTMENT OF JAPAN.

In the year 1868 a great event happened in Japan. The feudal system which had existed so long in the country was abolished, and the Emperor was restored to his hereditary and rightful authority. The country was thus united again under one central government.

The task which lay before the new régime was not an easy one. There were many innovations to be made, many improvements after the European style to be introduced, many abuses to be eradicated. Both civil and military administration had to be reorganized and the national finance and currency rearranged. To defray the expenses incidental to these undertakings, the government had recourse to public loans. Thus were originated the Old Loan, the New Loan, the Voluntary Capitalized Pension Bonds and the Pension Bonds. Since then, various causes—such as natural calamities, war, rebellion and disturbances, as well as new enterprises and improvements—have led to successive new loans.

Prior to the Restoration there existed in the country several hundred feudal princes, who enjoyed absolute power over their provinces. The systems of administration were more or less irregular and differed from one another. This was especially noticeable in the matter of finance. When a prince had a deficit and could not meet it in the ordinary way, he usually borrowed the money required from wealthy merchants and gave them notes in exchange. These notes were legal tender only in the respective provinces where they were issued, and made a considerable aggregate amount. Soon after the Restoration, the imperial government took over all liabilities contracted by the princes, and pro-

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mulgated "the New and Old Loan Act" of 1873. The bonds thus authorized were given to those merchants who had advanced money to the princes. The bonds carried interest at four per cent., and were redeemable by twenty-two annual drawings, commencing in the fourth year of their issue.

The total national debt from the Restoration till the present day is as follows:

I. DEBTS ALREADY REDEEMED.

DESIGNATION.	AMOUNT.	RATE OF INTEREST.
Voluntary Capitalized Pension Bonds..	$8,282,925	8 per cent.
Shinto Priest Pension Bonds.....	167,025	8 "
Nine per cent. Foreign Loan	4,880,000	9 "
Seven per cent. Foreign Loan.....	11,712,000	7 "
Currency Redemption Bonds.....	7,299,575	6 "
Civil War Loan.....	7,500,000	5—7½ "
Industry Bonds	6,250,000	6 "
Nakasendo Railway Bonds	10,000,000	7 "
Supplementary Railway Bonds.....	1,000,000	5 "
Total.....	$57,091,525	

II. DEBTS STILL OUTSTANDING.

DESIGNATION.	AMOUNT.	RATE OF INTEREST.
Old Loan	$2,414,000	5 per cent.
Pension Bonds	12,714,325	5 "
Naval Bonds	4,398,300	5 "
Consolidation Bonds	84,346,800	5 "
Currency Redemption Loan.....	11,000,000	0 "
War Bonds	58,288,225	5 "
Industry Bonds	10,775,650	5 "
Railway Bonds	17,021,350	5 "
Hokkaido Railway Bonds.....	1,709,975	5 "
Foreign Loan of 1899.....	48,815,006	4 "
Total.....	$251,483,625	

I. DEBTS ALREADY REDEEMED.

I. *Voluntary Capitalized Pension Bonds.*—The object of these bonds was to help the princes and their former retainers to gain the means of livelihood by enabling them to engage in agricultural, industrial, and commercial pursuits. Many of them were in need of capital to start in different enterprises, and were willing to obtain it by surrendering their hereditary pensions. In accordance with their desire, the government proposed to convert the pensions into bonds. The number of persons who availed themselves of this plan was 135,883, and the bonds given amounted to $8,282,925. The principal of the bonds was to be paid off by annual drawings, commencing in the third year. The redemption began in 1876, and was completed in 1883.

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2. *Shinto Priest Pension Bonds.*—In former times, the priests lived on the income derived from landed property granted to them either by the imperial court or by feudal princes. On the Restoration, however, all these properties were taken up by the government, a measure which threw many priests into idleness and poverty. It was with the object of providing these priests with the means of livelihood that the bonds were authorized and issued. The term of redemption and the rate of interest were the same as in the case of the Voluntary Capitalized Pension Bonds. The redemption was consummated in 1886.

3. *Nine per cent. Foreign Loan.*—This loan, the first ever raised by Japan in a foreign country, was negotiated in London in 1869, for the purpose of developing the national resources by facilitating means of communication and transportation within the Empire. The total amount was £1,000,000, and the issue price was £98 for every £100 bond. The principal was to remain unpaid for three years, and then to be redeemed in ten years by annual drawings. By the aid of this loan the first railway was built and many improvements were carried out. The loan was paid off in 1882 as originally arranged.

4. *Seven per cent. Foreign Loan.*—The object of this loan was to furnish funds to those feudal princes and their followers who wished to start certain enterprises of public utility. The loan was also raised in London, and was negotiated by the imperial government directly with some banks in London, which formed a syndicate to take up the whole sum. The financial credit of Japan in those days did not stand high in foreign markets; yet, in spite of numerous objections and difficulties which had to be overcome, the loan proved a great success. The total sum required was £2,400,000. The issue price was £92 10*s.* for every £100 bond. The principal was to be paid off by annual drawings in twenty-five years after the date of issue. The amount subscribed reached £9,500,000. The sum of £216,000 was to be paid annually for principal and interest, and the amount of interest saved on the redeemed principal was to be added to the amount for the reduction of the outstanding principal. In this way the whole was redeemed in 1897.

5. *Currency Redemption Bonds.*—The object of these bonds was to redeem and cancel the new paper money issued after the Restoration. The bonds were either registered or unregistered.

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The operation was successfully carried out, and the paper money cancelled amounted to $7,299,575. The principal of the registered bonds was redeemable in twelve years, and that of the unregistered bonds in thirty years. When, however, the Consolidation Bonds were issued, the outstanding amount of the bonds was exchanged for these new bonds at the request of the holders.

6. *Civil War Loan.*—This loan was contracted with the Fifteenth National Bank to defray the expenses incurred in suppressing the rebellion in the southwestern territories in 1877. The disturbance lasted more than seven months, and seventy thousand soldiers were engaged in the fighting. Altogether, it was estimated that the incidental outlay aggregated about $21,000,000. Such an amount could not be defrayed out of the ordinary income, and recourse was had to other expedients. Just at this time different national banks were being established, and one of them, the Fifteenth National Bank, was willing to provide money. The government finally resolved to borrow $7,500,000 at interest of five per cent. per annum. In 1883, $2,500,000 were repaid; but, in consideration of the great service rendered by the bank at a critical moment, the rate of interest for the remaining amount was raised to seven and a half per cent. per annum. The principal was repaid in three instalments, namely, $1,000,000 in 1895, $2,000,000 in 1896, and the balance in 1897.

7. *Industry Bonds.*—This loan was raised from the general public, and was for the amount of $6,250,000. The issue price was fixed at eighty yen ($40) for every 100 yen ($50) bond, the rate of interest being six per cent. per annum. This being the first attempt on the part of the government to raise an internal loan from the general public, the Finance Department was rather anxious as to its results. On the closing day of the subscription, however, it was found that the total sum subscribed had reached $12,387,625, nearly double the amount of the loan to be raised. The principal of the loan was to be redeemed by drawings within twenty-three years; but, when the Consolidation Bonds were issued, the holders of Industry Bonds voluntarily exchanged them for the new bonds.

8. *Nakasendo Railway Bonds.*—The object of this loan was to provide funds with which to construct a railway along the Nakasendo, to connect the two great cities of the Empire, Tokio

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and Kioto. The total amount of the bonds issued was not to exceed $10,000,000. This loan was to be issued at ninety yen ($45) for every 100 yen ($50) bond, and the rate of interest was seven per cent. per annum. The loan was raised from the general public, and was the first public loan to which foreigners were allowed to subscribe. A careful survey showed that the construction of the Nakasendo line would be very difficult. Moreover, the primary object being to connect Tokio and Kioto, it was decided that the railway along the Tokaido would do just as well as the Nakasendo line, and the fund was appropriated to that purpose. Some years afterwards the "Consolidation Bonds Act" was promulgated, and in the course of a few years the bonds were converted into the Consolidation Bonds.

9. *Supplementary Railway Bonds.*—This loan was raised for the purpose of meeting a deficiency in the Tokaido Railway construction fund, caused by the addition of branch lines. The principle adopted in this case was to sell the bonds to the highest bidders among the general public. The total amount of the issue and the lowest issue price were announced by the government, and the bonds were allotted to subscribers, beginning with the highest bidders, until the total amount required was obtained. The total subscription reached $2,721,175, thus surpassing the amount to be issued by $1,721,175. When the Consolidation Bonds were issued, these bonds were also converted into them.

II. Debts Still Outstanding.

1. *Old Loan.*—This loan was raised with the same object as the New Loan. The bonds are terminable annuity bonds. The present outstanding sum is $2,414,000, and it expires in 1921.

2. *Pension Bonds.*—These bonds were issued for the purpose of converting the hereditary pensions of princes, their retainers and common people, and also the pension given them in recognition of special merit. They were of four classes—namely, bonds bearing interest at ten per cent., seven per cent., six per cent., and five per cent. per annum, respectively. The principal of the bonds was to be redeemed by annual drawings, commencing in 1882. In 1886, a part of the fund raised by the Nakasendo Railway Bonds, which was not immediately needed for the work, was used for the immediate redemption of the bonds carrying a higher rate of interest. The money thus paid out was subsequently refunded by regular annual appropriations for the ser-

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vice of the national debt. In this way, the work of redemption was vigorously pushed on; so that the ten per cent. bonds were entirely paid off in 1887, the seven per cent. bonds in 1891, and the six per cent. bonds in 1893. The outstanding amount of the five per cent. bonds is 25,428,650 yen ($12,714,325).

3. *Naval Bonds.*—For the purpose of increasing naval efficiency, a sum of $13,320,000 had been appropriated, to be paid off in eight fiscal years, 1883-1891. To meet such an extraordinary outlay, however, from the ordinary revenue was very difficult.

Accordingly, it was decided to issue bonds to an amount not exceeding $8,500,000. The bonds were unregistered, bearing interest at the rate of five per cent. per annum. The allotment was made to the highest bidders, and the actual receipt by the government was $8,622,082 for the face value of $8,500,000. The principal of the bonds is to be repaid by drawings which take place at the discretion of the government within thirty years. The outstanding sum is $4,398,300.

4. *Consolidation Bonds.*—Consolidation Bonds or consols were to be issued from time to time, at the discretion of the Finance Minister, when the state of the money market was favorable, in order to convert and consolidate all internal debts bearing interest over six per cent. per annum. The total amount of the bonds was not to exceed $87,500,000.

The public debts negotiated before 1886 had been governed by various acts and regulations, and this had resulted in much variety in names, in rates of interest, in terms of redemption, and in methods of management. This had caused great confusion; and the expediency of consolidating these various debts into one became apparent. Meanwhile, in January, 1886, specie payment was resumed; and general prices and the rate of interest had been considerably changed, owing partly to the development of credit institutions, but chiefly to the improved currency system, which thus made possible not only the consolidation of the national debt, but also conversion on a large scale. The government was not slow to take advantage of this opportunity. In October, 1886, the "Consolidation Bonds Act" was proclaimed, and thus a new era was opened in the management of the national debt. The most important provisions in the act are the following: the rate of interest of the bonds is to be five per cent. per annum; the

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bonds are unregistered, but may be registered at the request of the subscribers or the holders; the principal of the bonds is to remain unpaid for five years, and is to be paid by drawings within fifty years from the sixth year of the issue. By successive operations, all bonds bearing an interest over six per cent. per annum have been converted into these bonds.

5. *Currency Redemption Loan.*—This loan was raised with the object of withdrawing the government paper-money. In 1890, the amount of government paper-money in circulation was 40,065,256 yen ($20,032,628), of which 32,000,000 yen ($16,000,000) were the notes with denomination over, and 8,065,256 yen ($4,032,628) the notes with denomination below, one yen; and 10,000,000 yen ($5,000,000) in silver was held as the reserve for the former. The government then made a contract with the Bank of Japan, which advanced 22,000,000 yen ($11,000,000), thus making the total reserve 32,000,000 yen ($16,000,000). For the withdrawal of the latter notes the government provided $500,000 annually in the budget. In this manner, the redemption of the government paper-money was consummated. This loan bears no interest, and is to be repaid within twenty years, at the option of the government.

6. *War Bonds.*—These bonds were issued to meet the expenses incidental to the war with China in 1894-95. In 1894, Parliament was summoned to assemble at Hiroshima, the temporary residence of the Emperor, and a bill authorizing the government to raise a war loan, not exceeding $75,000,000, was passed. In the session of 1895, another bill authorizing the government to raise the second war loan of $50,000,000 was passed. Thus the authorized amount of the war loan was $125,000,000 in all, although the sum of the bonds actually issued was far below that amount. The rate of interest and the term of redemption, etc., are the same as those for the Consolidation Bonds. In the first issue of the bonds for 30,000,000 yen ($15,000,000), the subscribed sum was 47,000,000 yen ($23,500,000), the highest price offered being 114 yen for 100-yen bond. Each subsequent issue of the bonds resulted satisfactorily.

7. *Industry Bonds, Railway Bonds, Hokkaido Railway Bonds, and the Foreign Loan of 1899.*—In 1892, the "Railway Construction Act" was promulgated, and the law provides that the government may raise a loan of $30,000,000 to meet the expenses of

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railway construction within the first period (1892-1903). Under this provision the sum of 34,000,000 yen ($17,000,000) has been raised.

After the war with China, commerce and industry suddenly expanded, and the construction and improvement of railways, the establishment of steel works, the extension of telephone service, etc., became necessary. As to the Industry Loan, the government raised $10,775,650 in the home market, and £10,000,000 in London. The latter is known as the Imperial Japanese government four per cent. sterling loan of 1899.

The Hokkaido (northern provinces of Japan) being still a thinly populated and undeveloped colony, an improvement in the means of communication with it is considered necessary. For this purpose an issue of Hokkaido Railway bonds for $16,500,000 was authorized, of which $1,709,975 were already raised. The rate of interest, and the term of redemption, etc., of these bonds are the same as those for the consolidation bonds.

Conclusion.—The present outstanding debts of Japan amount to 502,967,249 yen ($251,483,625), of which 191,143,650 yen ($95,571,825) are devoted to remunerative objects. The population being forty-four millions, the amount of non-remunerative public debts per head is little more than seven yen ($3½). The system of currency is based on the gold standard. Imports and exports are increasing year by year. The total imports and exports, which were 143,494,000 yen ($71,747,000) in 1891, rose to 435,330,000 yen ($217,665,000) in 1899. Wine, spirits, tobacco, etc., so heavily taxed in other countries, are still subjected to a very light tax in Japan; while silk, tea, beer, and many other articles are wholly exempt from taxation. Thus it will be seen that the government still has many untouched sources of revenue; and, judging from the figures given above, the country can easily bear, if needful, a much heavier public debt than it does at present.

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